



BILLET D'ÉTAT

WEDNESDAY, 22nd FEBRUARY, 2006

VI
2006

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B I L L E T D ' É T A T

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 22nd FEBRUARY, 2006**, immediately after the meeting already convened for that day, to consider the items contained in this Billet d'État which have been submitted for debate by the Policy Council.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
3rd February 2006

**THE EMPLOYMENT PROTECTION
(GUERNSEY) (AMENDMENT) LAW, 2005
(COMMENCEMENT) ORDINANCE, 2006**

The States are asked to decide:-

I.- Whether they are of the opinion to approve the draft Ordinance entitled “The Employment Protection (Guernsey) (Amendment) Law, 2005 (Commencement) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE UNREGISTERED DESIGN RIGHTS
(SEMICONDUCTOR TOPOGRAPHIES)
(BAILIWICK OF GUERNSEY) ORDINANCE, 2006**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Unregistered Design Rights (Semiconductor Topographies) (Bailiwick of Guernsey) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

MINOR FEES, CHARGES AND CIVIL PENALTIES

Executive Summary

This report proposes the enactment of legislation which would enable:

- (1) any fee or charge presently prescribed by Order in Council, Ordinance or Resolution of the States to be amended by Regulation of the relevant Department;
- (2) an interest surcharge to be applied to any fee or charge which is not paid within the agreed credit term by Regulation of the relevant Department; and
- (3) any civil penalty presently prescribed by Order in Council to be amended by Ordinance.

Report

Fees & Charges

1. A number of fees and charges are levied for functions performed or services provided pursuant to Orders in Council or Ordinances of the States, as a consequence of which many fees have remained unchanged for a number of years. The most extreme examples of this are the annual fee payable to HM Greffier for the renewal of a Salle Publique licence which has remained unchanged at 13p (2/6^d) since it was prescribed by the Loi ayant rapport aux Licences pour les Salles Publiques of 1914, and the fee for an Auctioneer's licence of £3, also set by Order in Council in 1914. At current values these figures would equate to charges in excess of £8 for a Salle Publique licence and £193 for an Auctioneer's licence.
2. Some fees or charges are set by Resolution of the States. In most cases, the relevant Department has the power to increase the fee or charge without requiring a Resolution of the States (subject to the approval of the Treasury and Resources Department) provided that the increase is not in excess of the Guernsey Retail Price Index growth: Any increase which is greater than this requires a States Resolution.
3. The reason why some fees and charges have remained unchanged for so long is that the process of amending them is laborious, requiring an Order in Council or Ordinance to effect any change. The process of preparing documentation to enable the States to consider a potential Resolution to increase fees or charges is almost as time consuming and complex as preparing an Order in Council or Ordinance. Further, it is contended that a uniform process for fixing fees and charges would be simpler and ensure procedural harmony in setting minor fees

and charges across their range. It is proposed that an Order in Council be enacted enabling all fees and charges presently prescribed either by Order in Council, Ordinance or Resolution of the States to be increased, decreased or discontinued by Regulation of the relevant States Department.

4. The schedule to this report sets out those Orders in Council and Ordinances identified by Departments as prescribing fees and charges for various functions and services. Whilst the schedule is believed to be comprehensive, provision should be made in the enabling legislation to allow for the States to prescribe by Ordinance further qualifying legislation which may be identified in future.
5. The foregoing proposed arrangements for amending fees and charges are not intended to extend to civil penalties which, being leviable for failure to comply with some statutory requirement, should as respects any amending proposal continue to be subject to States decision (see below).

Interest on late payment

6. The Treasury and Resources Department's Interim Financial Report which was considered by the States in July 2005 stated:

“Incentives for Settlement of States Bills

4.5 Many private sector companies, and increasingly in other jurisdictions even public sector services, offer incentives for early settlement of bills and penalise for late payment.

4.6 The States has generally not taken such an approach. However, especially for those States entities with a significant commercial element (such as Harbours, Airport etc.) it would be appropriate for such an approach to be introduced.”.

7. In cases where accounts are not paid within agreed credit terms, it is proposed that the relevant Department should have the ability by Regulation to apply an interest surcharge on the outstanding account. Current legislation provides few mechanisms for encouraging payment other than, ultimately, recourse to the Courts. In most cases payment is forthcoming, albeit often later than within the agreed credit term, therefore a means of encouraging timely payment would be advantageous.
8. It is proposed that an Order in Council be enacted enabling Departments by Regulation to provide for the application of an interest surcharge to accounts which remain unpaid after the agreed credit term.

Civil Penalties

9. A number of Orders in Council prescribe penalties for failing to do some act in obedience to a statutory requirement. A good example is the penalty of £25

prescribed by section 10 of the Loi relative aux Douits, 1936 for failing to comply with a notice served by the Public Services Department as successor to the Public Thoroughfares Committee to perform work in relation to a watercourse. Another such example is the penalty chargeable by a Parish for late payment of Occupier's Rate, (though this is pursuant to an Ordinance of 1937, not an Order in Council, so the States could, in any event, amend that penalty by Ordinance). Such penalties are not to be confused with fines for convictions for criminal offences, the levels of which are regulated by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 and Ordinances of the States made thereunder.

10. The enabling legislation proposed by this Report should include provisions whereby the States by Ordinance may amend the amount of or remove any civil penalty prescribed by Order in Council, thereby avoiding the necessity in any case of an amending Order in Council. The power to increase the penalties prescribed in respect of the administration of income tax is already provided for in the Income Tax (Surcharges and Supplements) (Guernsey) (Amendment) Law, 2005 approved by the States on 30 November 2005. The proposed legislation would not extend to any penalty prescribed by Ordinance, which may, in any event, be amended by Ordinance, including late payment of Occupier's Rate as mentioned above.

Recommendation

The Policy Council, having consulted the Law Officers, recommends the States to resolve that legislation be enacted to enable fees and charges prescribed by Order in Council, Ordinance or Resolution of the States to be increased, decreased or discontinued in future by a Regulation of the relevant Department and to enable interest to be applied to accounts which are outstanding after the agreed credit term has expired by Regulation of the relevant Department, and further that the States, by the same legislation, should be empowered by Ordinance to amend or remove any civil penalty prescribed by Order in Council.

L C Morgan
Chief Minister

9th January 2006

SCHEDULE

DEPARTMENT	TITLE OF LEGISLATION	DESCRIPTION of CHARGE/FEE
Policy Council	<p>The Marriage (Amendment) Law, 1951</p> <p>The Births, Deaths and Marriages Certificates (Miscellaneous Provisions) (Guernsey) Law, 1951</p> <p>The Public Records (Fees for Registration and Certified Copies of Documents) Ordinance, 1960</p> <p>Ordonnance ayant rapport à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins of 1931 as amended by The Bornements (Modification) (Guernsey) Law, 1989</p>	<p>Fees for civil marriages</p> <p>Fees for births, deaths and marriages certificates</p> <p>Greffe fees for registration and copies of documents</p> <p>Fees charged by Douzaines for bornements</p>
Commerce and Employment Department	<p>Ordonnance ayant rapport à l'Enregistrement de Patentes, Dessins et Marques de Fabrique of 1932</p> <p>The Hawkers and Non-Resident Traders (Guernsey) Law, 1980</p> <p>The Air Transport Licensing (Guernsey) Law, 1995</p> <p>The Companies (Guernsey) Law, 1994</p> <p>The Fishing (Licensing and Protection of Fisheries Ordinance, 1987</p> <p>The Animal Experiments (Bailiwick of Guernsey) Law, 1992</p>	<p>Fees for registration and re-registration of Patents, Designs and Trade Marks</p> <p>Certificate issued by HM Greffier Fee payable to States Treasurer for grant or renewal of licence</p> <p>Fees for grant and renewal of air transport licences</p> <p>Fees payable to HM Greffier</p> <p>Fee payable to States Treasurer for a Fishery Licence</p> <p>Fees in connection with licences</p>

Culture and Leisure Department	none	
Education Department	none	
Environment Department	<p>The Public Highways (Temporary Closure) Ordinance, 1999</p> <p>Loi ayant rapport aux Licences pour les Salles Publiques of 1914</p> <p>The Vehicular Traffic (Motor Licences) Ordinance, 1932, as amended</p>	<p>Fee upon application for “al fresco” licence payable to HM Greffier and Parish Constables Annual renewal payable to HM Greffier</p> <p>Annual renewal payable to HM Greffier</p> <p>Exchange of registration mark</p>
Heath and Social Services Department	<p>The Tattooing, Piercing, Acupuncture and Electrolysis (Guernsey and Alderney) Law, 2000</p> <p>The Nursing Homes and Residential Homes (Guernsey) Law, 1976</p> <p>The Food and Drugs (Guernsey) Law, 1970</p>	<p>Registration of practitioners and of premises to be used for such purposes</p> <p>Registration of nursing and residential homes</p> <p>Charges made by the States Analyst for analysis of samples.</p>
Home Department	<p>The Liquor Licensing Ordinance, 1993, as amended</p> <p>The Firearms (Guernsey) Law, 1998</p> <p>The Gambling (Guernsey) Law, 1971</p>	<p>Fees payable to HM Greffier and Parish Constables</p> <p>Grant of licence; Renewal or replacement of licence; Variation of licence</p> <p>Power to prescribe fees by Ordinance</p>
Housing Department	none	

Public Services Department	<p>The Vessels and Speedboats (Compulsory Third Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972, as amended</p> <p>The Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957, as amended</p> <p>The Harbours Ordinance, 1988, as amended</p> <p>The Airport Fees Ordinance, 1987</p> <p>Loi ayant rapport à la Fourniture d'Eau par les États de cette Île aux Habitants de la dite Île of 1927, as amended</p>	<p>Mooring charges</p> <p>Harbour dues</p> <p>Charges for use of harbour facilities</p> <p>Airport fees</p> <p>Water charges</p>
Social Security Department	The Health Service (Benefit) (Guernsey) Law, 1990	Prescription charges
Treasury and Resources Department	<p>Loi ayant rapport aux Ventes Publiques à l'Encan of 1914</p> <p>The Income Tax (Exempt Bodies) (Guernsey) Ordinance, 1989</p>	<p>Auctioneer's licence and annual renewal</p> <p>Annual fee payable by exempt bodies</p>

(NB The Treasury and Resources Department supports the proposals)

The States are asked to decide:-

III.- Whether, after consideration of the Report dated 9th January, 2006, of the Policy Council, they are of the opinion:-

1. That legislation be enacted
 - (a) to enable fees and charges prescribed by Order in Council, Ordinance or Resolution of the States to be increased, decreased or discontinued in future by Regulation of the relevant Department;
 - (b) to enable interest to be applied to accounts, which are outstanding after the agreed credit term has expired, by Regulation of the relevant Department; and
 - (c) to empower the States, by Ordinance, to amend or remove any civil penalty prescribed by Order in Council.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

COMMERCE AND EMPLOYMENT DEPARTMENT**REQUÊTE – MISUSE OF FIREWORKS**

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

12th December 2005

Dear Sir

The Commerce and Employment Department originally submitted the attached States' Report for consideration at the September 2005 States' meeting (Billet d'État XIV, 2005, Item 14). However, following notification that a Sursis on the matter was to be placed before the States on the basis that "Deferring consideration of the Report until the November States' meeting would enable Members to discuss it in the light of any firework misuse on and around 5 November 2005", the Commerce and Employment Department requested, and the States agreed, that the matter be withdrawn from the September 2005 States' meeting.

The intention of the Commerce and Employment Department was that by withdrawing the item the Department would be given an opportunity of re-evaluating the situation in the light of the experience of the 5th November 2005 period with either the original, or an amended Report being placed before the States for consideration at a later date.

The Department has monitored the use of fireworks during the period both before and after the 5th November 2005 and has now had the opportunity of re-evaluating its view. It has resolved to endorse the original recommendation that the States should take no action at the present time to introduce further legislation to control the sale and use of fireworks. The Home Department has been consulted and supports this view.

The Commerce and Employment Department has therefore concluded that it wishes to proceed with the proposals as originally submitted to the States for the September 2005 meeting, and as attached to this letter, confirming its recommendation as set out in the Report published in Billet d'État XIV, 2005, namely that:

"The Commerce and Employment Department therefore recommends the States to note the contents of this Report, but take no action at the present time to introduce further legislation to control the sale and use of fireworks in Guernsey."

Yours faithfully

Stuart Falla
Minister

The following Report was published in Billet d'État XIV of 2005

COMMERCE AND EMPLOYMENT DEPARTMENT

REQUÊTE – MISUSE OF FIREWORKS

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

21st July 2005

Dear Sir,

1. Executive Summary

In January 2004, the States approved a Requête, which directed the then Board of Industry and Committee for Home Affairs jointly to report to the States on the present situation with regard to the control and use of fireworks in Guernsey. Subsequently it was agreed that as successor to the Board of Industry the Commerce and Employment Department would take the lead on the issue. The Department investigated the current arrangements for the control of fireworks, and issued a Consultation Document that was circulated to interested parties and made available to the general public. The Department has noted that currently in the Island controls on fireworks are achieved partly through legislation, but also by voluntary agreement with suppliers and firework display organisers. **Having examined the evidence, the Department believes that there is not a problem of sufficient magnitude that would warrant resources being allocated to the introduction, implementation, and enforcement of new legislation specifically to control fireworks in Guernsey.** In general terms the current arrangements are effective, and in particular the current policies of educating the public and encouraging a responsible attitude towards fireworks, especially during the November 5th period, should continue. **This Report recommends therefore that no additional legislation should be enacted at the present time.**

Background

2. In January 2004, a Requête was laid before the States, which resulted in the States resolving to direct the States Board of Industry and the States Committee for Home Affairs jointly to report to the States:
 - (a) On the misuse of fireworks;

- (b) On the number of nights on which fireworks displays, whether private or organised, are or may be held;
 - (c) On the desirability and practicability of providing by legislation for control of the misuse of fireworks and the holding of firework displays;
 - (d) On the desirability and practicability of providing by legislation for the States Board of Industry to licence retail sales of fireworks; and
 - (e) In the case of firework displays and retail sales of fireworks, on the involvement of the Constables and Douzaines of the relevant parishes.
3. The specific premises of the Requête were that:
- (a) Considerable annoyance and distress is caused to many members of the community by the number of nights in October and November when fireworks are ignited.
 - (b) Misuse of fireworks regularly damages private and public property, and presents a serious risk of injury.
 - (c) New safety requirements or recommendations, that sales of fireworks are not made to under 20 year old, have not succeeded in curbing their misuse.
 - (d) Voluntary arrangements to reduce the number of days on which private or organised fireworks displays are held have not been effective.
 - (e) Insufficient control exists over the sales of fireworks to the public, and in particular to young persons.
4. In terms of the political response to the Requête, the Home Affairs Committee stated that it “fully supports the use of education and persuasion to reduce the misuse of fireworks and does not believe that any benefit would be achieved through further legislating to control the use of fireworks”. The Board of Industry’s view was that it was “unanimously of the opinion that there is a limit to the improvements that could be made through education and appeals for co-operation”. It therefore supported the Requête and welcomed the opportunity to work with the Committee for Home Affairs and others to review the issues and report to the States with recommendations.
5. Subsequently, and as successor to the Board of Industry, the Department of Employment and Commerce agreed to take the lead in investigating the issue further. The Home Department has been consulted on the contents of this Report, and its comments are appended as Appendix 1.

Investigations

6. In carrying out its investigations the Department examined a number of areas, including:
 - (a) The legislation which is currently in force within the Island for controlling the importation, storage, sale and usage of fireworks.
 - (b) The current situation and practice within the Island related to the use of fireworks and fireworks displays, and their control.
 - (c) Recent debates and discussions which have taken place in other jurisdictions, in particular the Isle of Man and the United Kingdom. In this regard, it should be noted that the UK, following a Private Member's Bill, has recently introduced the Fireworks Act 2003, supplemented by the Fireworks Regulations 2004, which are now in force.
7. As a result of these investigations it was discovered that Guernsey was not unique in expressing concerns about the use of fireworks and that these concerns had been reflected elsewhere, as the introduction of the new legislation in the United Kingdom illustrates. These concerns, particularly within the Island, are not related primarily to safety issues – in fact there are generally very few incidents of injury or damage caused by fireworks in the Island - but rather to the nuisance that fireworks can cause if they are used without adequate consideration for others.
8. An overall assessment of the current position is that the objectives reflected in the UK legislation are similar to what constitutes current practice locally, albeit that within the Island control is currently achieved through a mixture of legislation and codes of practice agreed with both suppliers and display organisers, rather than purely through legislation itself. The principal focal points of the issues raised by the Requête could therefore be summarised as being the need or otherwise for formalising current practice in legislation, and the opportunities that new legislation would make available for tightening up on current practice.

Consultation

9. The Department decided that it was important to consult interested parties, as well as the general public, and the Consultation Document attached as Appendix 2 was drawn up, summarising the results of investigations to date. This document reviews the current situation with regard to the use of fireworks within Guernsey, examines how control is currently exercised by legislation or other methods, and presents for consideration possible options for future controls. It was forwarded to a number of organisations with interests related to the use of fireworks, and to the Parish Constables to whom reference was made in the Requête. In addition the document was made available on the States

website, as well as on demand at the Board's offices. A total of 22 responses to the Consultation Document were received.

10. Fundamentally, the Document raised two issues:
 - (a) Whether it was felt that there was a need to introduce more specific legislation to control the sale and use of fireworks.
 - (b) What additional measures should be put in place, through legislation or otherwise, to control the purchase and use of fireworks, in addition to, or instead of, those that exist at the present time.
11. In terms of the need for legislation, most responses were either in favour of legislation, made the assumption that legislation would need to be enacted to achieve what was felt to be necessary, or raised no objection to new legislation being put in place.
12. However, the following views were also expressed:
 - (a) The Police stated that in their view "currently there is no overriding justification to increase the legislative armoury in this area".
 - (b) The Parish of St Pierre du Bois stated that "the current codes of practice appear to be working satisfactorily and we would prefer these to be consolidated and expanded rather than new legislation introduced".
 - (c) The Ambulance and Rescue Service stated that "it does not believe that any benefit would be achieved through further legislating to control the use of fireworks".
13. As for the overall comments that were received, while there were some more individual points expressed, there was a broad consensus around the following areas:
 - (a) A widely, indeed almost unanimously, expressed concern that the November 5th period had become too protracted and that the celebrations should take place only on the 5th November itself, or on one or two alternative nights in case of bad weather. There was little or no support for permitting fireworks before the date itself. Allowing a three day period both prior to, and after the date would allow a choice between the weekend and the day itself no matter on what day the 5th fell, but this option was not followed by respondents.
 - (b) A wish that, outside of November 5th period, only professionally organised displays should be permitted. This roughly equates to current practice. Some respondents went further with regard to displays outside the November the 5th period, in that a proposal was received that, except

for public displays (e.g. Liberation Day, North Show) all displays, for example to celebrate weddings, conferences, etc., should be banned. On the other hand, the professionalism and sense of responsibility of the current firework display operators was praised, and to implement such a ban would close down almost all of their business. The question must be asked as to whether this would be justified.

- (c) Professionally organised displays are already subject to control in that they must meet statutory Health and Safety requirements. In addition to this, an opinion was expressed that there should be a legal requirement for the organisers of such displays to give official notice of the display through the Guernsey Press, and by circulating an advance warning of the display to all households within a quarter of a mile of the display site (one suggestion added half a mile for livestock holders), and to the Parish Constables. Again, this equates to current practice, but is not a legal requirement. Both St Peter Port and St Martins' Constables went further in recommending that such displays should be by way of a permit system that would be administered by the Parishes. However, such a system would add a layer of bureaucracy to the organisation of firework displays, which may not be considered to be necessary at the present time.
- (d) In terms of the sale of fireworks, a general feeling that the current voluntary system of control seemed to work well, with an opinion nevertheless expressed that it would be preferable for the requirements to be expressed through legislation. In effect such legislation would reinforce the current agreement by banning the sale of fireworks to the general public except during a short period before the 5th November. A number of respondents gave the opinion that the period of sale of fireworks, or more accurately the period of collection of fireworks prior to the 5th November should be the minimum possible, even restricted to one or two days. However, this would be impractical due to the current legal requirements under the Explosives Law, as well as Health and Safety requirements, for the storage and distribution of fireworks. Indeed, having such a large quantity of fireworks on site at the same time could constitute a significant fire risk. Currently the period of sale is restricted to as short a period as practicable through the agreement and advice of the Chief Health and Safety Officer. Indeed it estimated that in most years it is practical for this period to be limited to a little over one week.

14. Other more detailed points made included:

- (a) Only category 1 & 2 fireworks should be available for use by the public, and not category 3, as is currently permitted. At present, the “minimum safe distance” for category 2 fireworks is 10 metres, and for category 3, 25 metres. Many persons do however have gardens that can

accommodate category 3 fireworks. It is understood that retailers will give advice as to which fireworks are suitable for individual circumstances, if requested.

- (b) There should be a curfew on times when fireworks can be let off, with different times suggested between 9:30 pm and 11:00 pm. A compromise might be 10:30 pm. An exception could be made for New Year's Eve when a later curfew of 12:30 am could be imposed.
- (c) There was agreement that possession of a firework in a public place by an underage person could be made an offence. The age limit should be 18, which is now the accepted age of majority. This is less than the age of 20 that has been specified by the Chief Health and Safety Officer for the purchase of fireworks, but as the established age of majority is now 18, this provision may be difficult to sustain under new legislation. Penalties for underage purchase could also be increased.
- (d) A time limit, say of 15 minutes, should be introduced for professionally organised, private displays, and a limit on the number of firework displays permitted per year. The latter suggestion would however raise issues of equity as to the criteria under which some applications for displays would be rejected and others approved.
- (e) More stringent requirements on the noise level of fireworks should be implemented. However, currently the latter are in line with UK legislation and there would be practical and commercial difficulties in introducing specific requirements related solely to Guernsey.

Conclusion

- 15. The Department has given careful consideration to the systems currently in place for the control of fireworks in Guernsey, to the comments received through the consultation exercise, and to the practicality of implementing some of the suggestions made. In doing so, it has had to come to a balanced view, evaluating the evidence and arguments put forward, in order to decide on what, if any, appropriate steps should be taken for the future.
- 16. In particular, the Department has considered whether there is any real need for further legislation, which might, for example, place a legal limit on the number of days around November 5th when fireworks can be used. Such legislation would also provide an opportunity to formalise the voluntary procedures and practices that are currently in place, and implement some of the relatively minor additional controls that have been identified through the consultation process.
- 17. Such legislation might, for example, make the following provisions:

- (a) the use of fireworks by the general public should be restricted by legislation to the 5th November each year, or in the event of inclement weather to such other date or dates as specified by the Commerce and Employment Department.
 - (b) outside this period fireworks should only be permitted as part of a display provided by a professional firework display organiser, and all such displays should be subject to the following conditions:
 - (i) The Chief Health and Safety Inspector being satisfied that all necessary Health and Safety requirements have been met;
 - (ii) At least 3 days notice being given in the local newspaper;
 - (iii) The Constables of the Parish being informed of the date, time and venue of the display;
 - (iv) Letters giving notice of the display being circulated to all householders and livestock holders within a quarter of a mile of the site where the display takes place.
 - (c) the sale of fireworks to the general public should be prohibited apart from during the period immediately preceding the 5th November, this period to be decided annually by Chief Health and Safety Officer, and to be as short as circumstances will reasonably allow.
 - (d) there should be a curfew of 10:30pm for all firework displays, with the exception of New Year's Eve, when the curfew should be 12:30 am.
 - (e) it should be made an offence for a person under the age of 18 to be in possession of a firework in a public place.
18. On balance, and having taken into account all of the information received, the Department is of the view that there is no justification at present for further legislation to control the sale and use of fireworks in Guernsey. The present system, combining legislation with a voluntary code of practice, has served the Island well, and continues to do so. The Department fully supports the work of the various agencies involved, and in particular the Fireworks Consultative Committee¹, in encouraging a responsible attitude to the use of fireworks, and in particular, through publicity and the issue of guidelines and codes of practice, attempting to minimise the nuisance that their inconsiderate use can cause to others. The work of the Committee needs to be recognised and encouraged. Bearing this in mind, the Department does not believe that anything substantial

¹ Membership comprises representatives of the Fire Brigade, Police, Ambulance and Rescue Service, Health and Safety Executive, GSPCA, Health Promotion Unit, Age Concern, Customs and Excise, and a professional "pyrotechnician".

would be achieved by devoting scarce resources to the creation of new legislation, and just as importantly, to its enforcement.

Recommendation

19. The Commerce and Employment Department therefore recommends the States to note the contents of this Report, but to take no action at the present time to introduce further legislation to control the sale and use of fireworks in Guernsey.

Yours faithfully

Stuart Falla
Minister

Appendix 1

Minister
Commerce and Employment Department
Raymond Falla House
P O Box 459
Longue Rue
St Martins
Guernsey
GY1 6AF

15 July 2005

Dear Deputy Falla

REQUETE – MISUSE OF FIREWORKS

Thank you for your letter of 23 June 2005 and draft States Report on the above subject.

The Home Department gave full consideration to your proposals and agreed that, on balance, there is not a problem of sufficient magnitude that would warrant resources being allocated to the introduction, implementation and enforcement of new legislation specifically to control fireworks in Guernsey. The Department also believes that legislation would be difficult to enforce, especially given current scarce resources, and would rather, at this stage, wish to see the good work of the Firework Consultative Group continuing through education, persuasion and voluntary code of practice.

You should be aware that, notwithstanding the above comments, the Department is currently examining the Explosives Law (which dates from 1875) specifically regarding controls in relation to instruments of terrorism and the extension of the current powers on importation to include exportation.

The Department is grateful for the work undertaken by the Commerce and Employment Department and for taking the lead in this “joint” matter.

Yours sincerely

M W Torode
Minister
Home Department

Appendix 2

COMMERCE AND EMPLOYMENT DEPARTMENT

REQUÊTE – MISUSE OF FIREWORKS

CONSULTATION PAPER

1.0 INTRODUCTION

- 1.1 A Requête was laid before the States in January 2004, with the result that the States resolved to direct the States Board of Industry and the States Committee for Home Affairs jointly to report to the States:
- (a) On the misuse of fireworks;
 - (b) On the number of nights on which fireworks displays, whether private or organised, are or may be held;
 - (c) On the desirability and practicability of providing by legislation for control of the misuse of fireworks and the holding of firework displays;
 - (d) On the desirability and practicability of providing by legislation for the States Board of Industry to licence retail sales of fireworks; and
 - (e) In the case of firework displays and retail sales of fireworks, on the involvement of the Constables and Douzaines of the relevant parishes.
- 1.2 This Requête was the expression of a growing concern in some parts of the community in recent years about the use of fireworks for entertainment and recreational purposes. It appears that this concern has not come principally from safety issues, but from a perceived nuisance factor related to increasing numbers of displays, and their effect on the rights to peace and enjoyment of neighbours and the public in general, as well their effect on animals. This concern is not limited to Guernsey, but has also extended to the United Kingdom and to the Isle of Man, where there have been parliamentary debates on the question of the control of fireworks and, in particular, the UK has introduced enabling legislation, as well as Fireworks Regulations to provide some specific measures of control.
- 1.3 In general terms, concern arises in three main areas:
- (a) The increase in length of the period of informal “firework parties” around the end of October/beginning of November each year, with it now being seen as socially acceptable to hold fireworks parties on evenings other than the 5th November itself. There is no evidence to suggest that there is any real incidence of such parties being held outside the October/November period.
 - (b) Professionally organised displays which take place at other times of the year, either for a public event such as the Harbour Carnival or Liberation Day, or for Private parties, for example to celebrate a wedding or a conference. Popular venues for such displays include La Grande Mare or St Pierre Park.

- (c) The general misuse of fireworks, often perceived as the casual letting off in public places of a firework as an isolated incident.

1.4 In more detail, the specific premises of the Requête were that:

- (a) Considerable annoyance and distress is caused to many members of the community by the number of nights in October and November when fireworks are ignited.
- (b) Misuse of fireworks regularly damages private and public property, and presents a serious risk of injury.
- (c) New safety requirements or recommendations, that sales of fireworks are not made to under 20 year old, have not succeeded in curbing their misuse.
- (d) Voluntary arrangements to reduce the number of days on which private or organised fireworks displays are held have not been effective.
- (e) Insufficient control exists over the sales of fireworks to the public, and in particular to young persons.

2.0 OBJECTIVE

2.1 The purpose of this paper is to:

- (a) Review the current situation with regard to the use of fireworks within Guernsey.
- (b) Examine how control is currently exercised, by legislation or other methods (voluntary agreement, etc).
- (c) Recommend for consideration possible amendments to the current legislation/procedures, possibly to be implemented as part of a review of the Explosives Law, 1904.

2.2 However, a basic premise of his paper is to recognise that while there may need to be some control on their anti-social use, when used sensibly and with consideration for others, fireworks are a very popular form of family entertainment.

3.0 VIEWS OF THE THEN BOARD OF INDUSTRY/COMMITTEE FOR HOME AFFAIRS

3.1 In terms of the political response to the Requête, the Home Affairs Committee provided a comprehensive response based on the comments received from the

Fireworks Consultative Group², to the effect that it “fully supports the use of education and persuasion to reduce the misuse of fireworks and does not believe that any benefit would be achieved through further legislating to control the use of fireworks”.

- 3.2 However, the Board of Industry’s view was that it is “unanimously of the opinion that there is a limit to the improvements that could be made through education and appeals for co-operation. Furthermore, the current Explosives Law is deficient in a number of ways and needs updating. It is against this background that the Board supports the Requête and welcomes the opportunity to work with the Committee for Home Affairs and others to review the issues set out in the Requête and report to the States with recommendations”. **As successor to the Board of Industry, the Department of Employment and Commerce has agreed to take the lead in investigating the issue.**

4.0 CURRENT POSITION AND LEGAL FRAMEWORK

- 4.1 The prayer and premises of the Requête do not give a detailed appreciation of the controls that are currently in place, although it may be assumed that the signatories considered them to be insufficient.
- 4.2 Indeed, the statements made as the premises for the Requête are to an extent a matter of personal judgment. For example:

(a) Annoyance and Distress

The level of distress and annoyance caused to members of the public during October/November can be open to interpretation, and, to be equitable, should be balanced against the enjoyment derived by many others.

(b) Personal Injury and Damage to Private Property

It is certainly true that the misuse of fireworks can present a serious risk of injury, and control and educative measures have been put in place to minimise such a risk. Evidence from the Fire and Ambulance Services would suggest that incidents of injury are however rare, and mostly caused by deliberate misuse, or by “sparklers”, which strictly speaking are not classified as fireworks. There is also little immediate evidence of fireworks themselves causing widespread damage to private or public property. While the Fire Brigade was busier on November 5th in 2004 than in earlier years, the level of incidents was still not sufficient to cause particular concern. Almost all, if not all, call-outs were caused by

² Membership comprises representatives of the Fire Brigade, Police, Ambulance and Rescue Service, Health and Safety Executive, GSPCA, Health Promotion Unit, Age Concern, Customs and Excise, and a Professional “Pyrotechnician”.

bonfires which had gone out of control, rather than by fireworks themselves.

(c) **Control of Misuse/Reduction in numbers of days when firework displays are held/Control of Sales to Public, in particular young persons**

The Department would dispute the contents of the statements made in the Requête on the above subjects, although, again, it accepts that to some extent the situation can be open to interpretation. However, the comments made by the Fireworks Consultative Group and referred to in paragraph 3.1 indicate that in its view considerable progress has been made through education and persuasion, supported by the legislation that is already in place.

4.3 In this regard, while there is no specific fireworks legislation as such, control is effected through three different legislative strands:

- The Loi relative aux Explosifs (Explosives Law), 1905, as amended;
- The Health and Safety at Work (General) (Guernsey) Ordinance 1987, made under The Health and Safety at Work Law (1979);
- The Summary Offences (Bailiwick of Guernsey) Law, 1982.

4.3.1 **The Explosives Law** makes provision for the control of the importation, storage, conveyance and sale of explosives, the definition of which includes fireworks, with a requirement that a licence has to be obtained from the Royal Court for both importation and storage. This legislation has been backed up by a voluntarily agreed “code of practice” under which importers and retailers have agreed not to make fireworks available to the general public outside agreed dates between the last week of October and early November (the dates are agreed depending on practical issues related to the requirements of the legislation, for example in 2004 the period extended from the 23rd October to the 5th November). This agreement has the effect of restricting private fireworks parties to this period, and is the approach that has been taken by the UK in the regulations that have just been put in place. **One option for consideration would be to enshrine this agreement in legislation that would, in effect, make it illegal to supply fireworks to the general public outside this period.**

Also under this legislation, the Inspector of Explosives (in effect the Chief Health and Safety Officer) has the power to make specific orders in regard to fireworks, and this power has been used, for example, to prohibit their sale to persons under the age of 20 years. This is more restrictive than in the UK, where the minimum age has been set at 18 years.

Under the provisions of the Explosives Law, a licence (which can be refused) is required to import fireworks, and, in particular, it is illegal to import any that are not currently permitted in “Great Britain”. It is therefore illegal to import certain types of firework that are considered to be especially subject to misuse, or to be dangerous.

These include, for example, bangers, “mini-rockets”, squibs, and jumping crackers. In this regard there was recently a successful prosecution relating to the letting off of “bangers” in public. It transpired that they had been imported illegally from France.

4.3.2 **The Health and Safety Regulations** provide powers to control professionally organised firework displays, and the remit of the Regulations extends not only to the safety of the operatives, but also to the public attending such displays. The “Category 4”³ fireworks, which can only be used in professional displays, and are not available to the general public, have to be imported through a licence, subject to conditions, issued under the provisions of the Explosives Law. At present, the control of displays is not exercised through a formal permit system, but such a system could be introduced by legislation, if it were felt to be necessary to do so. Permits could be made subject to conditions, and could be refused or revoked if those conditions were not complied with.

4.3.3 Under the provisions of Section 2 (d) of **The Summary Offences (Bailiwick of Guernsey) Law, 1982**, it is already an offence to let off a firework in a public place, without the prior permission, in the Island of Guernsey, of the Constables of the Parish in which that place is situated. Indeed, recently there was a successful prosecution of a member of the public for letting off fireworks on Grandes Rocques headland.

Under this legislation, **The Parish Constables** would appear to have powers to control firework displays in a public place, but not displays held on private property. Nevertheless, they do receive complaints about the noise caused by such “private” displays. On an advisory basis, the St Peter Port Constables attempt to ensure that all private displays are finished by 11.00 pm. This is also the curfew on fireworks that has recently been introduced in UK legislation, with exceptions for the 5th November, New Year’s Eve, the Chinese New Year, and the Hindu festival, Diwali, when the curfew is set at 1.00 am. The Constables also try to ensure that those living near to where the display takes place are sufficiently forewarned, and it is understood that display organisers and venues also take steps to ensure that this is the case, by way of mail shots and advertisement in the Press.

³ Categories of Fireworks are: Category 1, fireworks suitable for indoor use; Category 2, garden fireworks; Category 3, display fireworks; Category 4, for specialist use only. Only the first three categories are, subject to conditions, made available to the general public.

- 4.4 In addition to the legislation, the Fireworks Consultative Group monitors the position from year to year, and takes a lead in giving advice and publicising good practice, especially during the period leading up to the 5th November.

5.0 THE SPECIFIC PRAYER OF THE REQUÊTE

- 5.1 In terms of the specific items in the prayer of the Requête, there are a number of comments that can be made:

5.1.1 Misuse of Fireworks

- (a) Misuse can either be intentional, most often the casual or indiscriminate letting-off of fireworks by young persons, usually in a public place, or unintentional, for example, through ignorance failing to light the firework properly, or using it in an inappropriate way.
- (b) In terms of intentional misuse, and as already noted, types of firework which are most likely to cause a nuisance can no longer be legally imported, there is a provision under the Explosives Law that fireworks cannot be supplied to persons under the age of 20, and under separate legislation it is already an offence to let off a firework in a public place without the prior permission of the Parish Constables.
- (c) **However, a further weapon in the armoury would be to make not just the purchase, but also the possession of a firework in a public place by a person under 20, an offence.** A similar provision is included under the recent UK legislation.
- (d) In terms of unintentional misuse, detailed safety campaigns are routinely run prior to the 5th November period, and it does not seem to be an area where legislation would be effective. Indeed, the appropriate method would seem to be education, and this supports the campaigns that are already publicised.
- (e) There are, in fact, very few incidents of injury being caused by fireworks (if any, usually by sparklers which are not officially classified as fireworks), and there is no evidence of any significant increase in misuse in recent years.

5.1.2 The number of nights on which fireworks displays whether private or organised are or may be held

- (a) Technically, there are currently no legal restrictions on the number of nights on which either private or professionally organised firework displays can be organised. However, as under the voluntary agreement fireworks are only on sale to the public from the last week of October to

the beginning of November, private firework parties are effectively restricted to that period.

- (b) There has been a tendency in recent years for private fireworks parties to be held on nights other than the 5th November itself, although no firm statistics are available. This would appear to be a particular problem in years when the 5th November falls midweek, or when the weather on the date itself has been inclement, with a variety of alternative dates being chosen. There is no evidence that private displays are held to any appreciable extent outside this period.
- (c) A number of professionally organised displays are organised both during the 5th November period, as well as at other times of the year. These are either for a public event such as Liberation Day, the Harbour Carnival, or the North Show, or for a private occasion, such as a wedding or a conference. A total of some 35 professional displays have been held in 2004, thirteen of them on or near the 5th November. Of the 22 held during the rest of the year, all but three were for a private function. Such professionally organised, but private displays are often of fairly small scale compared to large public displays, and it is felt that 2004 has been a comparatively busy year for such displays.
- (d) Nevertheless, they can cause annoyance, particularly if they are unexpected, and it is understood that organisers do take steps to warn neighbours of their occurrence, so that, for example, arrangements can be made for animals to be protected, for example by being kept inside. **A further option for consideration would be to make it a legal requirement for sufficient notice to be given, in a suitable manner, of professionally organised displays. There could also be a legal curfew on the letting off of fireworks of say, 11 pm.**

5.1.3 **The desirability and practicability of providing by legislation for control of the misuse of fireworks and the holding of firework displays**

- (a) Overall, the present legislation does provide a degree of control, although an element of this control is exercised through voluntary codes of practice. In terms of reviewing legislation, there are opportunities to:
 - (i) Simplify and consolidate the current legislative practices;
 - (ii) Support current practices more effectively through legislation.
 - (iii) Introduce additional legislative controls, if it is so wished to do.
- (b) This could be achieved as part of a review of the Explosives Law, together with other, fairly minor, amendments, if they were felt to be necessary.

- (c) A major aspect is the current lack of specific legislation for the control of the number of firework displays, and of the dates on which they may take place. However, is there a problem of sufficient magnitude that further control measures are necessary? If so, there are a number of options available, depending on the level of control desired, therefore:
- (i) Is the present situation satisfactory, and therefore no action is necessary?
 - (ii) Is the present situation about right, but the opportunity should be taken to rationalise/simplify the current legislation and introduce one or two additional controls to make the objectives of the legislation more effective?
 - (iii) Is the present situation unsatisfactory, and significantly more repressive measures need to be put into place?
- (d) The following are some of the options that could be considered:

Private fireworks parties

- (i) Restrict private fireworks parties to the 5th November only.
- (ii) Restrict private fireworks parties to the 5th November and a 2/3-day period either side.
- (iii) Restrict private fireworks parties to a period from the last week of October to early November. This equates to present practice. One option would, however, be to enshrine the current practice more effectively in law, either by prohibiting the supply of fireworks to the general public outside the October/November period, or by making it illegal to let off a firework outside the same period, except, perhaps, as part of a professional display.

Professionally organised displays for both public and private events

(In reality the distinction between “public” and “private” displays is open to interpretation, as in a sense all displays are “public”. For the purpose of the following, “public” displays are only those that are agreed by the Department of Commerce and Employment to form an integral part of a public event or celebration, such as Liberation Day, the Harbour Carnival, the North Show, and the 5th November. All others are considered to be “private”, even though the public may be invited to attend.)

- (i) Only permit for public celebrations, such as the 5th November,

Liberation Day, etc., with a total prohibition on all private displays.

- (ii) Permit for designated public celebrations, such as the 5th November, Liberation Day, etc., but restrict private displays to the 5th November.
- (iii) Permit for designated public celebrations, such as the 5th November, Liberation Day etc., but restrict private displays to the 5th November and 2/3 days either side.
- (iv) Permit for public celebrations, such as the 5th November, Liberation Day, etc., but restrict private displays to an agreed period from the middle of October to early November
- (v) Permit for public celebrations, such as the 5th November, Liberation Day, etc., and generally permit private displays, but restrict them to specific venues outside the period from the middle of October to early November.
- (vi) Generally permit professionally organised displays, both public and private, throughout the year, but subject, as at present, to Health and Safety requirements. This option equates to present practice with regard to professionally organised displays.

5.1.4 In addition to any legislation that may be necessary to give effect to whichever of these options are preferred, the following possible amendments to legislation have been identified and could also be pursued:

- (a) Introduce legislation to support the current code of practice, whereby the sale of Category 1-3 fireworks is restricted to a specific period each year, rather than relying purely on the code of practice itself.
- (b) Make it an offence, for example under the Summary Offences Law, for a person under a specific age (18 or 20) to be in possession of a firework in a public place;
- (c) Introduce a legal requirement that professional organisers of “Category 4” displays must notify the Constables of the Parish concerned, and give official notice of the display in La Gazette Officielle (or by whatever agreed method), as is already done in practice. A further possibility might be to make professional displays subject to a permit sued by the Parishes, who would have the responsibility of ensuring at all legislative requirements had been complied with.
- (d) Install a curfew on all firework displays of 11 pm, with exceptions for specific dates such as the 5th November and New Year, when a later curfew of 1 am could be imposed.

5.1.5 The desirability and practicability of providing by legislation for the States Board of Industry to licence retail sales of fireworks

5.1.6 There is already in place a licensing system for the retail sale of fireworks which, under the provisions of the Explosives Law, enables specific requirements to be made on the storage, display, and sale of fireworks. There are also considerations that need to be taken into account under Health and Safety requirements. This legislation does not, of itself, prohibit the sale of fireworks outside the agreed October/November period, although a code of practice has been agreed with licence holders that in effect prevents their sale outside this period. **As stated above, it would be possible to control the period of sale of fireworks through legislation.**

5.1.7 In the case of firework displays and retail sales of fireworks on the involvement of the Constables and Douzaines of the relevant parishes

5.1.8 Under the Summary Offences Law, the permission of the Parish Constables is necessary before a firework can be let off in a public place. In addition, the Parishes can and do receive complaints from parishioners, and can be an effective feedback route for information about the use or misuse of fireworks in their own parishes. With a requirement that they are notified of pending firework displays, they can play an important role in helping to ensure that the residents of the parish are suitably informed. Given that retail sales of fireworks are fully regulated under the Explosives Law, there seems little need officially to involve the Parishes, except possibly in an advisory capacity.

5.1.9 The Parishes might also provide an administrative and supervisory resource, if it was agreed that a system of permits for professional firework displays needed to be put in place.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 The Board of Industry's comments on the Requête indicated two reasons for giving it their support:

- (a) That voluntary agreements can only go so far and need to be backed up by legislation.
- (b) That, in any event there is a need to review the Explosives Law, which dates from 1875.

6.2 In the Department's view, an assessment of the current situation regarding the control of the distribution and sale of fireworks in Guernsey, and of firework displays, does not indicate that there is a significant problem that warrants immediate and urgent action. Nevertheless, fireworks do represent a potential danger to persons, animals, and to property, and clearly there have been changes

in social perspectives that have resulted in a greater demand for firework displays in recent years, both around the November 5th period, as well as at other times of the year.

- 6.3 It is therefore appropriate that the situation is reviewed and, if necessary further action is taken. Therefore, in pursuance of the prayer of the Requête, the Department of Commerce and Employment will in the near future be laying before the States a Report detailing its recommendations for the future. Before doing so, the Department would welcome any comments you may wish to make, in particular as regards:
- (a) The current situation with regard to the control of fireworks in Guernsey.
 - (b) The contents of this Report, including any areas of specific interest.
 - (c) The options for future controls, as laid out in paragraphs 5.1.3 and 5.1.4.
 - (d) Any other matters that you feel may be of relevance to the control of fireworks in Guernsey.

(NB The Policy Council supports the proposal)

(NB The Treasury and Resources Department has no comment on the proposal)

The States are asked to decide:-

IV.- Whether, after consideration of the Report dated 12th December, 2005, of the Commerce and Employment Department, they are of the opinion:-

To note that Report but to take no action at the present time to introduce further legislation to control the sale and use of fireworks in Guernsey.

COMMERCE AND EMPLOYMENT DEPARTMENT

THE APPOINTMENT OF AN EMPLOYMENT & DISCRIMINATION TRIBUNAL
PANEL AND THE DESIGNATION OF THE CONVENOR AND DEPUTY
CONVENOR AS REQUIRED UNDER THE EMPLOYMENT & DISCRIMINATION
TRIBUNAL (GUERNSEY) ORDINANCE, 2005.

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

21st December 2005

Dear Sir

1. Executive Summary

Section 1. of The Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005 requires the States, on the recommendation of the Commerce and Employment Department, to draw up and maintain a panel to be called the Employment and Discrimination Panel.

The Law requires that the panel must consist of such number of persons as in the opinion of the States, is necessary for the purpose of hearing and determining complaints under the provisions of the relevant enactments. (Covering Unfair Dismissal and Sex Discrimination in employment)

The Law also requires the States to designate one member of the panel as Convenor and another as Deputy Convenor, for the purposes of constituting the Tribunal and nominating one member as the Chair.

2. The Selection Process

To ensure the States create and maintain a credible and appropriately skilled Panel, the Commerce and Employment Department conducted an extensive local advertising and recruitment campaign to identify suitable candidates with the skills, knowledge, and experience to fulfil the role. Those selected for a shortlist on the basis of previously agreed objective criteria, then took part in an independent assessment of those skills at an Assessment Centre run by trained staff from the UK Advisory, Conciliation and Arbitration Service (ACAS). This process further reduced the shortlist of 18 candidates and the Department, having considered that a panel of between 12 and 15 would be sufficient, is now recommending a final panel of 13 for approval by the States.

3. The recommended panel members

The names of the 13 successful candidates along with a brief career history and a short resume of their relevant knowledge and experience is included at Appendix I of this report. Appointment of the Panel Members will be for a 3 year period effective from the commencement of the Ordinance

4. Appointment of Convenor and Deputy Convenor

It is also a requirement under The Employment & Discrimination Tribunal (Guernsey) Ordinance, 2005 that the States designate one panel member as Convenor and another as Deputy Convenor for the purpose of constituting each Tribunal. Four of the candidates being recommended volunteered and following consideration of the availability and risk of potential for conflict of interest, Commerce and Employment recommend the States designate Mr Peter Woodward as Convenor and Mr John S Guilbert as Deputy Convenor.

5. Recommendations

In accordance with the requirements of the Law, the Department recommends the States:

- (a) appoint the 13 people named in Appendix I of this report as members of the Employment and Discrimination Panel, to take effect from the commencement date of the Ordinance;
- (b) designate Mr Peter Woodward as Convenor and Mr John S Guilbert as Deputy Convenor.

Yours faithfully

Stuart Falla
Minister

APPENDIX I**EMPLOYMENT & DISCRIMINATION TRIBUNAL PANEL****Summary of the Career History of Proposed Candidates****Ms Alison J T Anderson**

Ms Anderson has for the past 10 years been employed by Specsavers Optical Group, (SOG), as a Manager within the Legal Department. Responsible for all aspects of employment law covering the Groups interests in the UK, ROI and Guernsey, this has included the writing and production of all of the Group's UK employment law materials as well as running an employer's advice line to the 500 stores. In addition to advising on and formulating policy & procedures, the role also includes advising on in-house issues and dealing with joint venture partner grievances and disciplinary action. Ms Anderson has also recently been appointed as Health & Safety Manger for SOG. Prior to working for Specsavers, Ms Anderson served 8 years in the Royal Air Force. Tours of duty included Officer Commanding HR, Accounts, Facilities Management and Project Management respectively. She is also an Associate member of the Chartered Institute of Personnel and Development

Mr Roger J Brookfield

Mr Brookfield has recently retired as Fire Safety Manager with the Guernsey Fire & Rescue Service. Throughout his 31year career Mr Brookfield has had first hand experience of managing staff and working closely in a team environment. His training and subsequent Fire Service examinations require a good working knowledge of sex and race discrimination and the Fire Service disciplinary regulations. In recent years his experience extended to dealing with routine staffing matters and in the application of Guernsey's Fire Laws. He is an experienced Fire Service Instructor with responsibility for overseeing both practical and theory examinations. He is a graduate of the Institution of Fire Engineers and currently works as a part-time fire consultant.

Mr John S Guilbert

Mr Guilbert is the retired Transport & General Workers' Union full time Regional Industrial Organiser for Guernsey, a position he held for 25 years. He is currently Chair of the Public Assistance Appeals Tribunal, Chair of the Sunday Trading Appeals Tribunal and a member of the Housing Appeals Tribunal. As an experienced full time Trade Union Official, he has dealt with work related problems including grievances and representing staff at disciplinary and unfair dismissal hearings. He is also experienced in representing union members in pay & conditions disputes at tribunal or at arbitration hearings. Mr Guilbert also has experience in pay & conditions negotiations with a variety of companies and organisations in the private and public sector in Guernsey and has also held a number of public appointments including membership of the States Housing Authority, the States Insurance Authority, the Equal Pay Investigation

Committee, as a Member of the Harwood Committee on the review of the Machinery of Government and three States Members' remunerations Working Parties.

Mrs Carol Harvey

Mrs Harvey has a wide range of experience in the industrial relations field and in personnel management in the public and private sector. Having worked for 4 years as an executive officer with Housing and Education, she then worked as an Industrial Relations Officer with the Board of Industry, which included working on the Employment Protection Law 1998 (unfair dismissal), the recruitment of the original Adjudication Panel and the early stages of the Sex Discrimination Law. As an ACAS trained Conciliation Officer she gained experience in dealing with collective conciliation in pay & conditions disputes. Mrs Harvey then moved to the private sector in a personnel role with Marks & Spencer and Investec Bank (CI) Ltd. In more recent times she has worked as an independent consultant providing advice, guidance and training for a wide range of employer organisations in Guernsey, Jersey and the Isle of Man. She is a current unfair dismissal Adjudicator on the Guernsey panel and has recently been appointed to the Jersey Employment Tribunal Panel.

Mr Stephen Jones

Mr Jones has worked as a Senior Manager in a number of financial institutions in Guernsey during the last 30 years and is now semi-retired. During his employment he has experienced a whole range of employment and staff management issues, ranging from managing disciplinary and performance problems through to dealing with redundancy and dismissals. He is currently a member of the St Martins Douzaine and was a procurer of the poor. He is also a member of the Guernsey Financial Services Tribunal Panel and previous experience as employer representative on the Industrial Disputes Tribunal Panel. He is currently a director of several companies in the commercial and finance sectors in Guernsey. He was also a non-States member of the Board of Industry.

Mrs Caroline Latham

Caroline Latham is Chartered Surveyor who has spent most of her career advising on human resources, training and education within the real estate and construction industry. She has been self-employed for 9 years and provides advice and consultancy services to clients in many parts of the world. Prior to this she was European Director for human resources with Jones Lang Lasalle (formerly Jones Lang Wootton), with responsibility for strategy and implementation of the Human Resource policy for 1500 European staff. The earlier part of her career was in the Civil Service with her last position being as Principal in the Civil Service Commission where she was responsible for recruitment and selection of senior staff and sat as Chair on Civil Service Recruitment Boards. Mrs Latham has experience in working with all aspects of employment law ranging from contracts of employment, discipline, redundancy, transfer of undertakings and equal opportunities. Her experience also extends to introducing competency-based

assessment for admission to membership of the Royal Institution of Chartered Surveyors.

Mrs Tina J Le Poidevin

Mrs Le Poidevin is currently employed as Human Resources Director with local law firm Carey Olsen. She has an extensive career history spanning some 20 years in personnel, office management and training. Her experience has been gained with law firms, the finance industry and in retail. She is a Fellow of the Chartered Institute of Personnel and Development and an unfair dismissal Adjudicator appointed under the Employment Protection Law 1998. As HR Director Mrs Le Poidevin has a wide range of experience in dealing with all aspects of personnel and human resources including discipline & grievances, recruitment and selection and career development.

Ms Helen Martin

Mrs Martin initially trained and worked as a teacher before taking up the role of associate lecturer in Communication Skills, Health Education and Psychology at the Guernsey College of Further Education. In 1994 Mrs Martin moved into the finance industry and since 1996 has been Human Resources Director at Credit Suisse where she is also a member of the Executive Board. She is a trustee of the Millennium Foundation (Charitable Trust) and has studied Employment Related Legislation to a high level. She holds a Masters Degree in Professional Studies and is a Chartered Fellow of the Institute of Personnel & Development (CIPD). Her current employment requires taking responsibility for the implementation and maintenance of human resource standards and control, which involves advising senior management on all aspects of employment Law and best practice in employment.

Ms Georgette Scott

Ms Scott is currently working as Head of Human Resources with local law firm, Ozannes. A graduate, her experience began in retail management and as Regional Training Co-ordinator with retail outlet Benetton. She subsequently gained experience in both the public and private sector having worked in Education, the Post Office and Board of Health. Whilst at the Board of Health Ms Scott worked within the Personnel Department. Here she developed expertise in Employee Relations over a period of nine years. Since 1996 Ms Scott has worked as Head of Human Resources for Credit Suisse Trust and the GFSC, before joining Ozannes. She is a member of the Chartered Institute of Personnel and Development and is a current Unfair Dismissal Adjudicator. Ms Scott is also an Associate Lecturer at the College of Further Education for the Certificate of Personnel Practice

Ms Kathy Tracey

Ms Tracey is a qualified Social Worker however, since 1999 she has been the Managing Director of The Learning Company, which she established. She has gained an extensive working knowledge of equal opportunities, diversity, staff management, business

strategy, marketing and finance, and employment issues through providing training courses for both the public and private sector. As an employer she has responsibility for recruiting, selecting and employing contract and permanent staff. She is also a member of the Guernsey Ladies Atlantic Rowing Team project and a Chartered Member of the Chartered Institute of Personnel & Development.

Mr Andrew Vernon

Mr Vernon was a bus company executive during a career in public transport of over 30 years, he moved to Guernsey on his early retirement following the sale of his Company. As Commercial Director he was responsible for all aspects of route planning, fares, trade union pay & conditions negotiations, pension schemes and budgeting. He is an Associate of the Institute of Logistics & Transport with a wide range of experience in employment issues, ranging from recruitment of staff to dealing with disciplinary matters from the initial investigations through to the appeals process. He has also represented the employer in Employment Tribunals and in dispute resolution processes, often with ACAS involvement. He also negotiated terms and conditions of employment with both local and paid Trade Union Officials.

Mr Steven White

Mr White has worked for the Guernsey Post Office since 1978, with a short 2-year break working for the Board of Health and the Electricity Board. Mr White has progressed from junior postman and is currently a Postman Higher Grade and Acting Supervisor. He is currently one of the shop stewards at Guernsey Post for the Communication Workers' Union (CWU) and Chairman of the Guernsey Branch. As shop steward he has attended union training courses on employment law, the roles and responsibilities of shop stewards including dealing with disciplinary and grievance cases and collective bargaining. As shop steward/acting supervisor he has worked in consultation with senior management and staff in order to facilitate major changes in working procedures and practices.

Mr Peter Woodward

Mr. Woodward is an independent management consultant, providing training, support, and consultancy, in the fields of management and human resources in Guernsey, Jersey, the Isle of Man and France. His previous employment with Texas Instruments and Intel Corporation provided experience in personnel, training and development and human resources in Europe, Africa, the Middle East and Eire. Mr. Woodward has experience in representing his former employers at Employment Tribunals and he is currently an unfair dismissal Adjudicator. He has recently been appointed to the Jersey Employment tribunal Panel and is a Fellow of the Chartered Institute of Personnel and Development.

(NB The Policy Council supports the proposal)

(NB The Treasury and Resources Department has no comment on the proposal)

The States are asked to decide:-

V.- Whether, after consideration of the Report dated 21st December, 2005, of the Commerce and Employment Department, they are of the opinion:-

1. To appoint the 13 people named in Appendix I of that Report as members of the Employment and Discrimination Panel, to take effect from the commencement date of the Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005.
2. To designate Mr Peter Woodward as Convenor and Mr John S Guilbert as Deputy Convenor.

HOUSE COMMITTEE

ALDERNEY REPRESENTATIVES IN THE STATES OF DELIBERATION

The Chief Minister
 Policy Council
 Sir Charles Frossard House
 La Charroterie
 St. Peter Port

8th December 2005

Dear Sir

Executive Summary

This report requests the States to note the discussions which have taken place between the House Committee and the Alderney Authorities concerning Alderney Representation in the States of Deliberation.

Report

1. Alderney's representation in the States of Deliberation is prescribed in The States of Guernsey (Representation of Alderney) Law, 1978, as amended. The relevant sections of the Law state:
 - "1. *The people of the Island of Alderney shall, for so long as the Alderney (Application of Legislation) Law, 1948 continues in force, be entitled to be represented in the States of Deliberation by representatives styled "Alderney Representatives".*
 2. (1) *The Alderney Representatives shall be two in number.*
 - (2) *... each of the Alderney Representatives in the States of Deliberation shall be a Member of that Assembly and they shall be entitled to exercise and enjoy all the rights and privileges of membership accordingly.*
 - (3) *...*
 3. *The States of Alderney shall, at each annual meeting, elect –*
 - (a) *two members of the States of Alderney ... to sit in the States of Deliberation as representatives of Alderney".*

2. The Report of the Panel to Review the Machinery of Government in Guernsey (the Harwood Report) published in November 2000 stated:

“It is a matter for the people of Alderney to determine whether they wish to continue the present system of representation by nomination from the States of Alderney or whether such representation should be chosen by universal suffrage. Representations made to the Panel indicate a considerable divergence of views on this matter.”.

3. In September 2002 the States Procedures and Constitution Committee (“SPCC”) wrote to the Alderney Policy and Finance Committee (“P&F”) noting that the Joint Committees (i.e. the States Advisory and Finance Committee and the SPCC) had agreed that the degree of representation, the method of election and the terms of office of Alderney Representatives should be considered in consultation with the States of Alderney and requested P&F to determine what form of consultation was to be carried out in Alderney in that regard. The SPCC also offered to meet P&F to discuss the matter.
4. In October 2002 P&F replied that it wished the status quo to remain.
5. In July 2003 the SPCC asked P&F whether it was prepared to consult the Alderney electorate or whether it preferred the SPCC to initiate a consultation process in Alderney. P&F replied in August 2003 that *“the existing arrangements work well, that a change to the current legislation is not required, and consequently, consultation is not appropriate”.*
6. A few days later the SPCC replied that it *“was disappointed to learn that your Committee does not consider a consultation with the Alderney electorate on the matter to be appropriate. [The SPCC] has decided, therefore, to carry out its own consultation exercise and this will be done in early September”.* P&F did not respond to that letter.
7. On 4 September 2003 a press release was issued attaching a copy of a letter to all Alderney residents. In the letter SPCC recommended that the office of Alderney Representative be abolished and replaced with two members directly elected by the Alderney electorate. The letter concluded: *“The Committee will, however, only place proposals to the States regarding this matter if it believes that such a change is supported by the people of Alderney.”.* Unfortunately due to postal difficulties in Alderney the letters were not distributed until 17 September. SPCC consequently extended the deadline for return of cards from 30 September 2003 to 12 October 2003.
8. On 18 September 2003 the President of the States of Alderney protested strongly that the consultation process initiated by the SPCC was unconstitutional and that it impugned the integrity and status of the States of Alderney. He stated that *“It is therefore perfectly proper and democratic for the people of Alderney to be*

represented in Guernsey by two of the States Members elected to make that choice and essential that Alderney States Members decide on behalf of their electorate what changes, if any, should be made to the 1978 Law.”. He reiterated that the robust view of the “Government of Alderney” was that it did not wish any change to the existing number or method of election of the Alderney Representatives.

9. In his reply to the President of the States of Alderney, the President of the SPCC noted P&F’s unwillingness to carry out a consultation with the Alderney electorate on the matter or even to refer the matter to the States of Alderney. He acknowledged that Guernsey accepted that any proposed change could only be implemented with the consent of the States of both Islands but added:

“However, any consideration of this matter should be informed by public opinion and we consider that the views of the Alderney population are as a valid and necessary as those of the Guernsey people which were sought by both the Harwood Review Panel and in the joint consultation exercise carried out by my Committee and the Advisory and Finance Committee.”.

10. The following is an extract from the Alderney Journal reporting on the Alderney States meeting of 22 October 2003:

*“President Sir Norman Browse ... spoke regarding the electoral survey undertaken by the States of Guernsey about a change in the way Alderney residents are represented. He said that 25% ... of the electorate voted in favour of a change. However, he said that this survey was ‘unwarranted and unconstitutional they (Guernsey States) have ignored our processes.’ However, he continued: ‘we will be obliged to respond on behalf of the people of Alderney’. The responses will be a debate at a States meeting. But until we know how Guernsey want to proceed with this we just have to wait. He ended, ‘when required **we will consult the population, who shall be involved in whatever happens.**’.”.*

11. Despite pleas to ignore the survey made by the President of the States of Alderney, 484 cards were returned. This represented 38% of the Alderney electoral roll. Of the 484 cards returned on time 330 (68%) favoured change, 141 (29%) favoured the status quo and 13 (3%) were spoilt cards. A further five cards were received after the closing date for replies. During the four-week period in which cards were accepted the split in opinion remained throughout at 2:1 in favour of change. This was the case both before and after the President of the States of Alderney urged electors not to return the cards.
12. It was implied that some of the cards might have been returned by persons not on the electoral roll. All the cards were therefore checked against the electoral roll and found to be in order. The SPCC concluded that the survey did indicate

that a change was supported by the people of Alderney. Almost 40% of the electorate voted and of those who voted two-thirds favoured change.

13. Encouraged by the result of the survey and in the light of the President of the States of Alderney's statement that "*when required we will consult the population*", the House Committee wrote to the P&F in the following terms:

"We accept that any change can only be implemented with the consent of both States and we have no desire whatsoever to discontinue Alderney's representation in the States of Deliberation. For our part we wish to move forward in a spirit of co-operation with the States of Alderney." A meeting with the P&F was suggested. P&F replied that it was happy to meet but "*having discussed the subject matter of your letter in some detail, they were not minded to change their previously held views.*".

14. In the States of Alderney on 15 September 2004 Miss Burgess, referring to the P&F reply asked whether it was appropriate for P&F to express such an opinion as in her view the giving of an opinion on the issue of Alderney's representation in Guernsey was a matter which ought to be addressed by the States as a whole, rather than by one Committee. The Chairman of P&F replied that "*until the 1948 Constitution was changed there would be no change in current procedure*" adding that a meeting was being arranged with the House Committee.

15. The Alderney Journal contains the following report of the January meeting of the States of Alderney:

"A referendum on how Alderney's representatives in the Guernsey States are chosen could soon be held. Col Peter Walter said last night that a meeting with Guernsey's House Committee to discuss possible ways of achieving direct representation is planned. But he recommended that any referendum should be done at the same time as a public vote on the future of the breakwater. 'Guernsey is anxious that we meet to discuss the future selection of our representatives, based similarly on their method of selecting deputies. It is a difficult subject. If we change the way we do it now then we would have to change the constitution,' he said."

16. On 15 March 2005 the House Committee attended a meeting in Alderney. Present were the President of the States of Alderney, three members of P&F and four other Members of the States of Alderney. The concluding paragraph of the House Committee's minutes of that meeting summarize the tenor of the meeting:

"Members [of the House Committee] considered that the meeting in Alderney had been extremely useful and had clearly shown a desire among ordinary States members for a change to the existing method of electing Alderney representation in the States of Guernsey and a general

understanding amongst the majority of people at the meeting that the matter should at least be put to public consultation.”.

17. In the light of the most positive views expressed at the meeting in Alderney in March 2005 the House Committee was, therefore, most disappointed to receive a letter in August 2005 from the Chief Executive Officer of the States of Alderney in the following terms:

“I refer to your letter to Colonel Walter, dated 5 May, enquiring how the Policy and Finance Committee proposes to take the above matter [Alderney Representatives in the States of Deliberation] forward. The Committee considered this and is of the majority view (one member dissenting) that it wishes to retain existing arrangements. The Committee considers that the participation of the electorate is by way of the mandate given to the States to act on its behalf. I have been instructed to inform you of this.”.

18. Reluctantly the House Committee is forced to conclude that the Alderney authorities are not willing to carry out any public consultation with the people of Alderney as to how they wish to be represented in the States of Deliberation. In this context attention is drawn to paragraph 1 of this report in which it will be noted that the 1978 Law states that it is “**the people** of the Island of Alderney” who are represented in the Guernsey States – not “**the States** of the Island of Alderney”.
19. The House Committee further concludes that there is nothing more which it can do to persuade the Alderney authorities to consult the people of Alderney regarding this matter. If, as the Committee believes, there is a desire for change then it will be for the people of Alderney to make representations directly to the Members of the States of Alderney.

Recommendation

20. The House Committee recommends the States to note this report.

Yours faithfully

D P Le Cheminant
Chairman

(NB The Policy Council has no comment on the proposal)

(NB The Treasury and Resources Department has no comment on the proposals)

The States are asked to decide:-

VI.- Whether, after consideration of the Report dated 8th December, 2005, of the House Committee, the States are of the opinion:-

To note that Report.

STATUTORY INSTRUMENT LAID BEFORE THE STATES**THE INCOME TAX (SURCHARGES AND SUPPLEMENTS)
(GUERNSEY) REGULATIONS, 2005**

In pursuance of Sections 199 and 199A of the Income Tax (Guernsey) Law, 1975, as amended, the Income Tax (Surcharges and Supplements) (Guernsey) Regulations, 2005, made by the Treasury and Resources Department on 20th December, 2005, are laid before the States.

EXPLANATORY NOTE

These Regulations specify the rates of surcharge, additional surcharge, supplement and additional supplement for the purposes of the Income Tax (Guernsey) Law, 1975, and also the cases in which surcharges and additional surcharges are not payable.

APPENDIX I

HOUSE COMMITTEE

RECORD OF MEMBERS' ATTENDANCE AT MEETINGS OF
THE STATES OF DELIBERATION, THE POLICY COUNCIL,
DEPARTMENTS AND COMMITTEES

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

21st December 2005

Dear Sir

On 28 January 2004 the States resolved, inter alia:

“That Departments and committees shall maintain a record of their States Members’ attendance at, and absence from, meetings, including sub-committee meetings and the reasons for absence given shall also be recorded.

“That the records of States Members’ attendance at, absence from and reasons for absence from meetings, shall be made available to the House Committee to monitor and to take such action as it sees fit within its powers and the records shall also be available for inspection by the public.”.

This report deviates from the States resolution in that, at the request of the Policy Council, statistics relating to attendance at meetings of the States of Deliberation have also been included.

The House Committee would be grateful if the Policy Council would agree to publish this report, in respect of statistics provided by HM Greffier, Departments and Committees for the six months ended 31 October 2005, as an appendix to a Billet d'État.

Yours faithfully

D P Le Cheminant
Chairman

PART I - REPORT BY DEPARTMENT/COMMITTEE

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island		Other
					States business	Personal business/ holiday	
POLICY COUNCIL							
L. C. Morgan	18	14	2		1	1	
B. M. Flouquet.	18	13	4		1		
S. J. Falla, MBE	18	15	1			2	
P. R. Sirett	18	14	1			3	
M. A. Ozanne	18	9	5			4	
P. J. Roffey	18	16	1			1	
M. W. Torode	18	13	1		2	2	
D. B. Jones	18	13		4		1	
W. M. Bell	18	13	2		2	1	
M. M. Lowe	18	15			2	1	
L. S. Trott	18	16	2				
Alternate Members:							
B. L. Brehaut	1	1					
M. H. Dorey	5	5					
C. H. Le Pelley	3	3					
T. M. Le Pelley	1	1					
C. S. McNulty-Bauer	1	1					
W. J. Morgan	1	1					
F. W. Quin	3	3					
COMMERCE AND EMPLOYMENT DEPARTMENT							
S. J. Falla, MBE	13	12			1		
C. S. McNulty Bauer	13	13					
L. R. Gallienne	13	10				3	
M. G. O'Hara	13	11	2				
D. W. Staples	13	13					
CULTURE AND LEISURE DEPARTMENT							
P. R. Sirett	5	5					
C. H. Le Pelley	5	5					
M. G. O'Hara	5	5					
J. Honeybill	5	4				1	
C. S. McNulty Bauer	5	5					
EDUCATION DEPARTMENT							
M. A. Ozanne	13	12				1	
W. J. Morgan	13	9				4	
D. A. Grut	13	9				4	
A. H. Adam	13	11				2	
D. P. Le Cheminant	13	13					
ENVIRONMENT DEPARTMENT							
B. M. Flouquet	17	13	1		2	1	
I. F. Rihoy	17	12	2	2		1	
C. D. Brock	17	16				1	
J. M. Le Sauvage	17	16					1 medical appointment
D. de G. De Lisle	17	17					

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		Indisposed	MEMBER ABSENT		Other
		Whole Meeting	Part of Meeting		Absent from Island	States business	
HEALTH AND SOCIAL SERVICES DEPARTMENT							
P. J. Roffey	12	9	2			1	
D. A. Grut	12	10	1			1	
A. H. Adam	12	8	3			1	
B. L. Brehaut	12	12					
D. E. Lewis	12	11				1	
HOME DEPARTMENT							
M. W. Torode	13	11			2		
F. W. Quin	13	13					
G. Guille	13	12				1	
S. J. Maindonald	13	8	4			1	
G. H. Mahy	13	13					
HOUSING DEPARTMENT							
D. B. Jones	13	8	1	3		1	
M. H. Dorey	13	12	1				
L. R. Gallienne	13	11			1	1	
B. L. Brehaut	13	11				2	
J. A. B. Gollop	13	13					
PUBLIC SERVICES DEPARTMENT							
W. M. Bell	12	12					
M. E. W. Burbridge	4	3			1		
A. H. Brouard	12	12					
R. J. Le Moignan	12	11				1	
T. M. Le Pelley	12	11				1	
S. J. Ogier	2	2					
SOCIAL SECURITY DEPARTMENT							
M. M. Lowe	12	10			1	1	
D. P. Le Cheminant	12	10	1			1	
G. H. Mahy	12	12					
D. E. Lewis	12	12					
S. J. Ogier	12	7	2			1	2 family reasons
TREASURY AND RESOURCES DEPARTMENT							
L. S. Trott	23	21	1			1	
C. N. K. Parkinson	23	20				3	
J. P. Le Tocq	23	15	2			6	
M. H. Dorey	23	22				1	
J. Honeybill	23	21				2	
HOUSE COMMITTEE							
D. P. Le Cheminant	3	3					
C. H. Le Pelley	3	3					
G. Guille	3	3					
S. J. Falla, MBE	3	3					
E. W. Walters	3	1	1				1 reason unknown

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		Indisposed	MEMBER ABSENT		Other
		Whole Meeting	Part of Meeting		States business	Absent from Island Personal business/holiday	
LEGISLATION SELECT COMMITTEE							
C. H. Le Pelley	6	4			1	1	
P. R. Sirett	6	6					
J. A. B. Gollop	6	6					
T. M. Le Pelley	6	6					
A. H. Brouard	6	6					
PUBLIC ACCOUNTS COMMITTEE							
R. R. Matthews	9	8	1				
L. R. Gallienne	10	10					
C. D. Brock	10	9	1				
B. J. Gabriel	10	8	1			1	
S. J. Ogier	10	8				2	
PUBLIC SECTOR REMUNERATION COMMITTEE							
J. P. Le Tocq	11	10		1			
A. H. Adam	11	9	1			1	
G. H. Mahy	11	9			1	1	
J. Honeybill	11	7		1		3	
B. L. Brehaut	11	10					1 reason unknown
SCRUTINY COMMITTEE							
J. A. Pritchard	10	7	1	1		1	
S. J. Mandonald	10	7		1		2	
B. R. de Jersey	10	9				1	
B. J. Gabriel	10	6	1		1	2	
R. H. F. Cox	10	6	1			3	
J. A. B. Gollop	10	10					
E. W. Walters	10	9				1	
M. E. W. Burbridge	2	2					
R. J. Le Moignan	10	10					
D. W. Staples	3		3				
INHERITANCE LAW REVIEW COMMITTEE							
J. A. Pritchard	1	1					
C. H. Le Pelley	1	1					
P. R. Sirett	1	1					
PAROCIAL ECCLESIASTICAL RATES REVIEW COMMITTEE							
B. R. de Jersey	6	6					
J. A. B. Gollop	6	6					
G. Guille	6	6					
T. M. Le Pelley	6	6					
D. E. Lewis	6	6					

PART II - REPORT BY SUB-COMMITTEES

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island		Other
					States business	Personal business/holiday	
POLICY COUNCIL – Strategic Population Review Group							
M. M. Lowe	6	6					
D. B. Jones	6	5		1			
S. J. Falla, MBE	6	4				2 reason unknown	
M. W. Torode	6	3	1			2 reason unknown	
POLICY COUNCIL – Social Policy Steering Group							
P. J. Roffey	3	3					
D. B. Jones	3	2		1			
M. M. Lowe	3	3					
M. A. Ozanne	3	2			1		
M. W. Torode	3	2				1	
POLICY COUNCIL – Strategic Land Planning Group							
S. J. Falla, MBE	5	3	1		1		
B. M. Flouquet	5	5					
D. B. Jones	5	2	1	1		1	
L. S. Trott	5	5					
P. R. Sirett	5	2	1	1		1 reason unknown	
C. D. Brock	5	4	1				
POLICY COUNCIL – Fiscal and Economic Policy Steering Group							
L. C. Morgan	13	12				1 reason unknown	
B. M. Flouquet.	13	11				2 reason unknown	
L. S. Trott	13	12				1 reason unknown	
S. J. Falla, MBE	13	11				2 reason unknown	
POLICY COUNCIL – External Relations Group							
L. C. Morgan	1	1					
B. M. Flouquet.	1	1					
P. R. Sirett	1	1					
S. J. Falla MBE	1	1					
D. B. Jones	1	1					
POLICY COUNCIL – Emergency Powers Authority							
L. C. Morgan	3	3					
M. W. Torode	3	3					
B. M. Flouquet	3	3					
L. S. Trott	3	1	1			1 reason unknown	
P. J. Roffey	3	3					
M. M. Lowe	3	3					
W. M. Bell	3	2				1 reason unknown	
POLICY COUNCIL – Legal Aid Group							
W. M. Bell	5	5					
C. N. K. Parkinson	5	5					

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			Other
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island States business	Personal business/holiday	
POLICY COUNCIL – Waste, Water and Stone Review Steering Group							
L. C. Morgan	4	3	1				
B. M. Flouquet	4	3			1		
W. M. Bell	4	2	1		1		
P. J. Roffey	4	2			1	1	
POLICY COUNCIL – Staff Steering Group							
L. C. Morgan	3	3					
S. J. Falla	3	3					
M. M. Lowe	3	3					
M. W. Torode	3	3					
POLICY COUNCIL – GFSC Appointments Panel							
L. C. Morgan	6	6					
S. J. Falla MBE	6	5			1		
L. S. Trott	6	5			1		
COMMERCE AND EMPLOYMENT DEPARTMENT – Energy Sub-Group							
M. G. O’Hara	3	3					
COMMERCE AND EMPLOYMENT DEPARTMENT and TREASURY AND RESOURCES DEPARTMENT– Construction Industry Joint Steering Group							
B. M. Flouquet	2	2					
S. J. Falla, MBE	2	2					
L. S. Trott	2	2					
M. G. O’Hara	2	2					
J. P. Le Tocq	2	1				1	
COMMERCE AND EMPLOYMENT DEPARTMENT – Resources Group							
L. R. Gallienne	3	3					
D. W. Staples	3	2			1		
COMMERCE AND EMPLOYMENT DEPARTMENT – Dairy Management Board							
D. W. Staples	3	2			1		
COMMERCE AND EMPLOYMENT DEPARTMENT – Business Development Workgroup							
C. S. McNulty Bauer	3	3					
M. G. O’Hara	3	3					
D. W. Staples	1	1					
COMMERCE AND EMPLOYMENT DEPARTMENT – Competition Working Group							
L. R. Gallienne	5	5					
C. S. McNulty Bauer	5	5					
COMMERCE AND EMPLOYMENT DEPARTMENT – Finance Sector Group							
L. C. Morgan	3	1	1			1	
S. J. Falla, MBE	3	3					
C. S. McNulty Bauer	3	3					

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		Indisposed	MEMBER ABSENT		
		Whole Meeting	Part of Meeting		Absent from Island	States business	Personal business/holiday
CULTURE AND LEISURE DEPARTMENT – Liberation Celebrations Working Party							
M. G. O’Hara	2	2					
CULTURE AND LEISURE DEPARTMENT – Liberation Service Working Party							
M. G. O’Hara	1						1 reason unknown
CULTURE AND LEISURE DEPARTMENT – Channel Islands Lottery Advisory Panel							
J. Honeybill	2	2					
CULTURE AND LEISURE DEPARTMENT – Guernsey Sports Commission							
M. G. O’Hara	5	4					1 reason unknown
CULTURE AND LEISURE DEPARTMENT – Guernsey Sports Commission Achievement Awards Committee							
M. G. O’Hara	6	6					
CULTURE AND LEISURE DEPARTMENT – Events Working Group							
M. G. O’Hara	1	1					
D. W. Staples	1	1					
CULTURE AND LEISURE DEPARTMENT – Events Ministerial Steering Group							
P. R. Sirett	3	3					
M. G. O’Hara	3	3					
S. J. Falla MBE	3	3					
EDUCATION DEPARTMENT – Training Agency							
W. J. Morgan	2	2					
M. A. Ozanne	2	1		1			
EDUCATION DEPARTMENT – Guille-Allès Library							
A. H. Adam	5	4	1				
EDUCATION DEPARTMENT – Blanchelande Girls’ College							
W. J. Morgan	2	2					
D. P. Le Cheminant	2	2					
EDUCATION DEPARTMENT – Playscheme							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – Youth Service Finance Sub-Committee							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – The Ladies’ College							
D. A. Grut	1	1					
EDUCATION DEPARTMENT – Elizabeth College							
D. A. Grut	1	1					

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		Indisposed	MEMBER ABSENT		Other
		Whole Meeting	Part of Meeting		Absent from Island	States business/Personal business/holiday	
EDUCATION DEPARTMENT – ICT Steering-Committee							
A. H. Adam	4	4					
EDUCATION DEPARTMENT – Youth Service Committee							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – College Development Committee							
M. A. Ozanne	2	1				1	
W. J. Morgan	2	2					
EDUCATION DEPARTMENT – Apprenticeship Committee							
M. A. Ozanne	1	1					
W. J. Morgan	1	1					
EDUCATION DEPARTMENT – Grammar School							
M. A. Ozanne	1	1					
A. H. Adam	1	1					
EDUCATION DEPARTMENT – Joint Advisory Committee							
M. A. Ozanne	1	1					
W. J. Morgan	1	1					
EDUCATION DEPARTMENT – Lifelong Learning							
M. A. Ozanne	4	3				1	
W. J. Morgan	4	4					
D. P. Le Cheminant	4	3				1	
D. W. Staples	4	4					
EDUCATION DEPARTMENT – Prialux Library Council							
A. H. Adam	5	5					
M. E. W. Burbridge	3	3					
C. H. Le Pelley	5	4				1	
EDUCATION DEPARTMENT – Prialux Library Finance Sub-Committee							
A. H. Adam	1	1					
EDUCATION DEPARTMENT – Pensions Consultative Committee							
M. A. Ozanne	1	1					
EDUCATION DEPARTMENT – Standing Advisory Council for Religious Education							
M. A. Ozanne	1	1					
W. J. Morgan	1	1					
EDUCATION DEPARTMENT – Higher Education Working Party							
A. H. Adam	5	5					
W. J. Morgan	5	3				2	
EDUCATION DEPARTMENT – Amherst Primary and Vauvert Primary Schools Committee							
A. H. Adam	2	1				1	

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			Other
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island States business	Personal business/ holiday	
EDUCATION DEPARTMENT – Castel Primary School Committee							
A. H. Adam	1	1					
EDUCATION DEPARTMENT – Forest Primary School							
M. A. Ozanne	1	1					
EDUCATION DEPARTMENT – La Mare de Carteret Primary School Committee							
A. H. Adam	2	2					
EDUCATION DEPARTMENT – St Andrew’s Primary School Committee							
M. A. Ozanne	1	1					
EDUCATION DEPARTMENT – St Martin’s Primary School Committee							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – St Mary and St Michael Roman Catholic Primary School Committee							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – Hautes Capelles Infants and Junior School Committee							
D. P. Le Cheminant	1	1					
EDUCATION DEPARTMENT – St Sampson’s Secondary School Committee							
W. J. Morgan	2	2					
EDUCATION DEPARTMENT – Les Beaucamps Secondary School Committee							
A. H. Adam	2	2					
EDUCATION DEPARTMENT – La Mare de Carteret Secondary School Committee							
A. H. Adam	2	2					
EDUCATION DEPARTMENT - St Anne’s School Committee							
M. A. Ozanne	1	1					
A. H. Adam	1	1					
W. J. Morgan	1	1					
ENVIRONMENT DEPARTMENT – no sub-committees							
HEALTH AND SOCIAL SERVICES DEPARTMENT – no sub-committees							
HOME DEPARTMENT – Gambling Sub-Committee							
G. Guille	5	5					
S. J. Maindonald	5	5					
HOME DEPARTMENT – Liquor Licensing Working Group							
F. W. Quin	5	5					
G. H. Mahy	5	5					
HOUSING DEPARTMENT – no sub-committees							

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island		Other
					States business	Personal business/holiday	
PUBLIC SERVICES DEPARTMENT – Roads Working Party							
W. M. Bell	2	2					
M. E. W. Burbridge	2	2					
A. H. Brouard	2	2					
PUBLIC SERVICES DEPARTMENT – Alderney Airport Working Party							
W. M. Bell	2	2					
M. E. W. Burbridge	1		1				
T. M. Le Pelley	1	1					
R. J. Le Moignan	2		1				1 other meeting
PUBLIC SERVICES DEPARTMENT – Pilotage Board							
T. M. Le Pelley	1	1					
R. J. Le Moignan	1	1					
PUBLIC SERVICES DEPARTMENT – External Transport Group (Joint Working Group with Commerce and Employment)							
W. M. Bell	3	3					
T. M. Le Pelley	3	3					
S. J. Falla MBE	3	3					
D. W. Staples	3	3					
C. S. McNulty Bauer	2	2					
SOCIAL SECURITY DEPARTMENT – no sub-committees							
TREASURY AND RESOURCES DEPARTMENT – no sub-committees							
HOUSE COMMITTEE – no sub-committees							
LEGISLATION SELECT COMMITTEE – no sub-committees							
PUBLIC ACCOUNTS COMMITTEE – Contract Review Working Party							
L. R. Gallienne	5	5					
R. R. Matthews	5	5					
B. J. Gabriel	5	3	2				
PUBLIC ACCOUNTS COMMITTEE – Public Trading Operations Working Party							
C. D. Brock	5	5					
PUBLIC ACCOUNTS COMMITTEE – Audit Working Party							
L. R. Gallienne	5	5					
R. R. Matthews	5	5					
C. D. Brock	5	5					
PUBLIC ACCOUNTS COMMITTEE – Procedure Working Party							
L. R. Gallienne	4	4					
R. R. Matthews	4	3				1	

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island States business	Personal business/ holiday	Other
PUBLIC SECTOR REMUNERATION COMMITTEE – Pensions Consultative Committee							
J. P. Le Tocq	1	1					
A. H. Adam	1	1					
G. H. Mahy	1						1 other States Dept meeting
J. Honeybill	1	1					
B. L. Brehaut	1	1					
PUBLIC SECTOR REMUNERATION COMMITTEE – Public Service Employees Joint Council							
J. P. Le Tocq	1			1			
A. H. Adam	1	1					
G. H. Mahy	1	1					
J. Honeybill	1	1					
B. L. Brehaut	1	1					
SCRUTINY COMMITTEE – no sub-committees							
INHERITANCE LAW REVIEW COMMITTEE – no sub-committees							
PAROCIAL ECCLESIASTICAL RATES REVIEW COMMITTEE – no sub-committees							

PART III - REPORT BY MEMBER/ELECTORAL DISTRICT**Summary of Attendances at Meetings of The Policy Council, Departments and Committees**

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island		Other
					States business	Personal business/holiday	
ST PETER PORT SOUTH							
L. C. Morgan	51	43	4		1	2	1 reason unknown
B. J. Gabriel	25	17	4		1	3	
J. A. B. Gollop	35	35					
C. S. McNulty Bauer	32	32					
B. L. Brehaut	39	36				2	1 reason unknown
M. E. W. Burbridge	12	10	1		1		
ST PETER PORT NORTH							
L. R. Gallienne	58	53			1	4	
J. Honeybill	43	36		1		6	
R. R. Matthews	23	21	1			1	
J. A. Pritchard	11	8	1	1		1	
C. D. Brock	42	39	2			1	
W. J. Morgan	35	29				6	
D. E. Lewis	30	29				1	
ST. SAMPSON							
L. S. Trott	70	62	4		1	1	2 reason unknown
D. P. Le Cheminant	40	37	1			2	
S. J. Maindonald	28	20	4	1		3	
S. J. Ogier	24	17	2			3	2 family reasons
I. F. Rihoy	17	12	2	2		1	
R. J. Le Moignan	25	22	1			1	1 other meeting
VALE							
G. H. Mahy	43	40			1	1	1 other States meeting
P. J. Roffey	40	33	3		1	3	
D. B. Jones	46	31	2	10		3	
M. M. Lowe	45	40			3	2	
G. Guille	27	26				1	
B. R. de Jersey	16	15				1	
D. W. Staples	31	26	3		2		
CASTEL							
S. J. Falla, MBE	79	68	2		3	2	4 reason unknown
M. H. Dorey	41	39	1			1	
E. W. Walters	13	10	1			1	1 reason unknown
J. P. Le Tocq	38	27	2	2		7	
B. M. Flouquet	63	51	5		4	1	2 reason unknown
A. H. Adam	64	54	5		1	4	
T. M. Le Pelley	30	29				1	

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			Other
		Whole Meeting	Part of Meeting	Indisposed	Absent from Island States business	Personal business/ holiday	
WEST							
D. A. Grut	27	21	1			5	
M. A. Ozanne	50	36	5	1	1	7	
D. de G. De Lisle	17	17					
C. H. Le Pelley	23	20			1	2	
P. R. Sirett	39	32	2	1		3	1 reason unknown
A. H. Brouard	20	20					
SOUTH-EAST							
M. W. Torode	46	35	2		4	3	2 reason unknown
C. N. K. Parkinson	28	25				3	
W. M. Bell	49	41	3		3	1	1 reason unknown
F. W. Quin	21	21					
J. M. Le Sauvage	17	16					1 medical appointment
M. G. O'Hara	44	40	2				2 reason unknown
ALDERNEY REPRESENTATIVES							
P. F. Walter, MBE, MC							
R. H. F. Cox, TD	10	6	1			3	

**PART IV – REPORT OF ATTENDANCE AT
MEETINGS OF THE STATES OF DELIBERATION**

NAME OF MEMBER	TOTAL NUMBER OF DAYS (or part)	DAYS ATTENDED (or part)
ST PETER PORT SOUTH		
L. C. Morgan	9	9
B. J. Gabriel	9	9
J. A. B. Gollop	9	9
C. S. McNulty Bauer	9	9
B. L. Brehaut	9	9
M. E. W. Burbridge	2	2
J. M. Tasker	4	3
ST PETER PORT NORTH		
L. R. Gallienne	9	9
J. Honeybill	9	8
R. R. Matthews	9	9
J. A. Pritchard	9	8
C. D. Brock	9	9
W. J. Morgan	9	7
D. E. Lewis	9	9
ST SAMPSON		
L. S. Trott	9	9
D. P. Le Cheminant	9	9
S. J. Maindonald	9	9
S. J. Ogier	9	9
I. F. Rihoy	9	9
R. J. Le Moignan	9	9
VALE		
G. H. Mahy	9	9
P. J. Roffey	9	9
D. B. Jones	9	5
M. M. Lowe	9	9
G. Guille	9	9
B. R. de Jersey	9	9
D. W. Staples	9	9
CASTEL		
S. J. Falla, MBE	9	9
M. H. Dorey	9	9
E. W. Walters	9	9
J. P. Le Tocq	9	8
B. M. Flouquet	9	9
A. H. Adam	9	9
T. M. Le Pelley	9	9

NAME OF MEMBER	TOTAL NUMBER OF DAYS (or part)	DAYS ATTENDED (or part)
WEST		
D. A. Grut	9	9
M. A. Ozanne	9	9
D. de G. De Lisle	9	9
C. H. Le Pelley	9	8
P. R. Sirett	9	9
A. H. Brouard	9	9
SOUTH-EAST		
M. W. Torode	9	9
C. N. K. Parkinson	9	9
W. M. Bell	9	9
F. W. Quin	9	9
J. M. Le Sauvage	9	9
M. G. O'Hara	9	8
ALDERNEY REPRESENTATIVES		
P. F. Walter, MBE, MC	9	8
R. H. F. Cox, TD	9	9

GUERNSEY RETAIL PRICES INDEX

3.3% annual change as at 31st December 2005

At the end of December, Guernsey's annual rate of inflation, as measured by changes in the Retail Prices Index, was 3.3%, a decrease from 3.8% at the end of the previous quarter.

RPI X, the rate of inflation that excludes mortgage interest payments stands at 3.0%

Table 1

The Index Figures at the end of September 2005 were:

124.5 (Dec 1999=100)
 147.7 (Mar 1994 =100)
 199.6 (Dec 1988 =100)
 266.8 (Dec 1983 =100)
 423.6 (Dec 1978 =100)

Period	%	Period	%
3 Months	0.2	2 Years	8.4
6 Months	0.5	3 Years	12.6
9 Months	1.4	4 Years	17.6
12 Months	3.3	5 Years	19.9

Wednesday
18th January 2006

Issued by:
Policy and Research Unit
Sir Charles Frossard House
PO Box 43
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St Peter Port
Guernsey
GY1 1FH

Matters affecting the RPI during the last 12 months

The major contributing groups to the December 2005 RPI include Housing (1.3%), Fares and Other Travel (0.6%), Fuel, Light and Power (0.4%) and Food Bought for Consumption away from Home (0.4%).

The Housing group remains the largest contributor to the RPI at 1.3% out of 3.3%. Its impact has increased slightly since the previous quarter (1.1% in September 2005) but has fallen considerably since the first half of 2005. This was due to a decrease in the cost of servicing a mortgage, caused by falling interest rates in the third quarter of 2005. Elsewhere within the Housing Group, there were increases in occupiers' rates and water rates.

Global increases in the price of oil have resulted in annual changes to the Fuel, Light and Power group (0.4%), Motoring (0.3%) and Fares and Other Travel (0.6%). However, the cost of heating oil and fuel have decreased over the previous quarter.

Both Leisure Goods (TVs, games consoles etc) and Clothing & Footwear had a downward effect on the RPI. They contributed -0.4% and -0.5% respectively to the index.

Matters affecting the RPI during the last three months

The main contributors to inflation over the last three months include an increase in the price of coal, telephone line rental and medical fees.

Annual % Changes for each quarter

Table 2

	March	June	September	December
1992	4.6	4.1	3.6	3.2
1993	2.3	1.5	1.8	1.4
1994	2.9	2.3	2.0	2.4
1995	3.0	3.5	4.0	3.6
1996	2.5	2.1	2.0	2.8
1997	3.1	4.0	4.4	4.7
1998	4.1	4.0	4.0	3.2
1999	2.1	2.2	1.8	2.4
2000	3.8	4.4	4.5	3.9
2001	3.3	2.3	2.6	1.9
2002	2.9	3.3	3.9	4.4
2003	4.7	4.3	3.3	3.9
2004	4.2	4.5	5.2	4.9
2005	4.6	4.6	3.8	3.3

RPI enquiries -
Tel: 01481 717012
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GUERNSEY RETAIL PRICES INDEX - DECEMBER 2005

PERCENTAGE CHANGES IN GROUP INFLATION AND THEIR CONTRIBUTION TO OVERALL INFLATION

Table 3 GUERNSEY INFLATION RATE (+3.3%)

	Weight	Quarterly %Change	Annual %Change	% Contribution
Food	127	0.9	0.6	0.1
Alcoholic Drink	52	-0.4	5.2	0.3
Tobacco	19	0.0	6.8	0.2
Housing	216	1.4	5.2	1.3
Fuel, Light and Power	41	-0.6	9.0	0.4
Household Goods	79	-0.7	1.3	0.1
Household Services	33	0.2	2.8	0.1
Clothing & Footwear	56	-6.9	-7.5	-0.5
Personal Goods	49	1.0	2.3	0.2
Motoring Expenditure	85	-2.1	3.0	0.3
Fares/Other Travel	33	1.8	15.1	0.6
Leisure Goods	63	-1.1	-6.1	-0.4
Leisure Services	92	-0.2	1.7	0.2
Food Away from Home	55	3.0	6.7	0.4
Overall	1000			
All Items				3.3

Weight is the proportion of the total index represented by each group. **Contribution** shows the effect of price changes in relation to the relative weight of the groups.

Retail Prices Index (RPI)

The RPI is a measure of inflation in Guernsey. It can be defined as "an average measure of change in the prices of goods and services bought for the purpose of consumption by the vast majority of households" (RPI Technical Manual, Office for National Statistics, 1998).

Goods and services that consumers purchase have a price, and these will vary over time. The RPI is designed to measure such changes. Imagine a very large shopping basket (over 2100 items) comprising all the different kinds of goods and services bought by a typical household. As the prices of individual items in this basket vary, the total cost of the basket will vary - the RPI is a measure of the change from quarter to quarter in this total cost.

No two households spend their money in exactly the same way and this basket of goods is compiled using spending pattern data from the Household Expenditure Survey. This is carried out every five years, hence the RPI index base is reset to 100 e.g. Dec 1999 = 100, Mar 1994 = 100 etc. The RPI while not applying precisely to any one household or person, will be close to the experience of inflation for the great majority of households.

GUERNSEY RETAIL PRICES INDEX - DECEMBER 2005

Figure 1

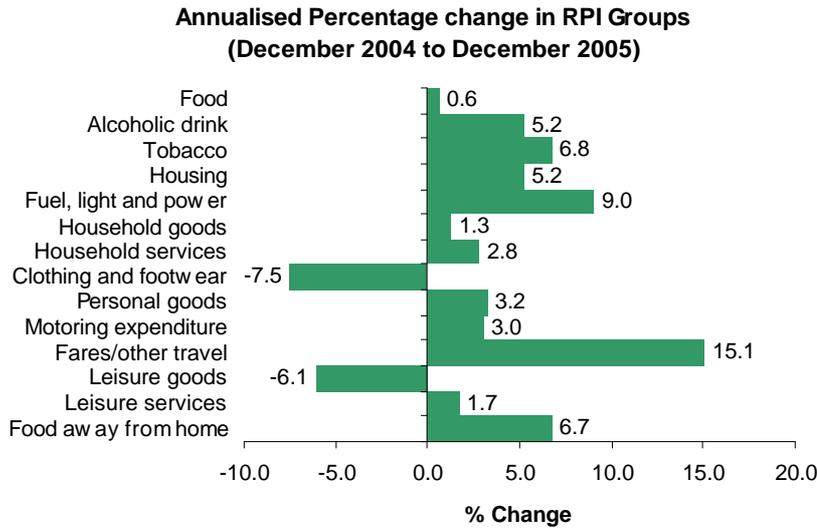


Figure 2

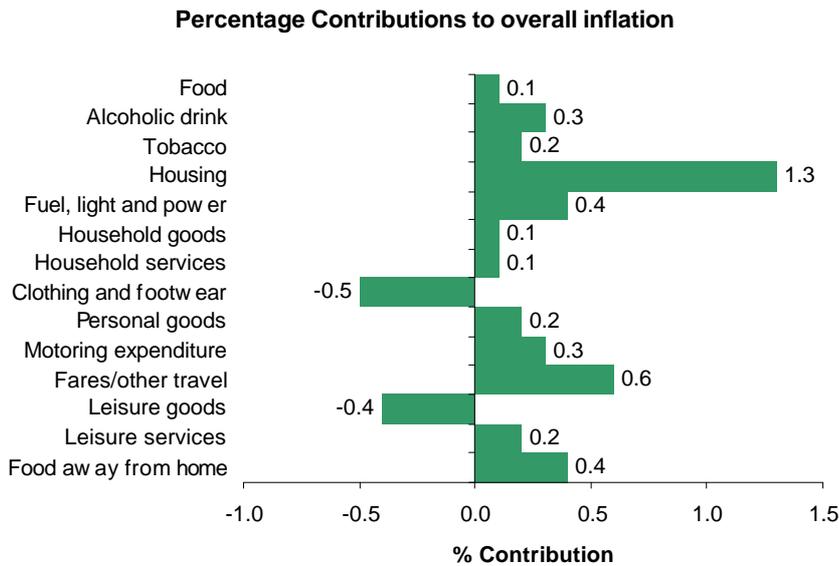
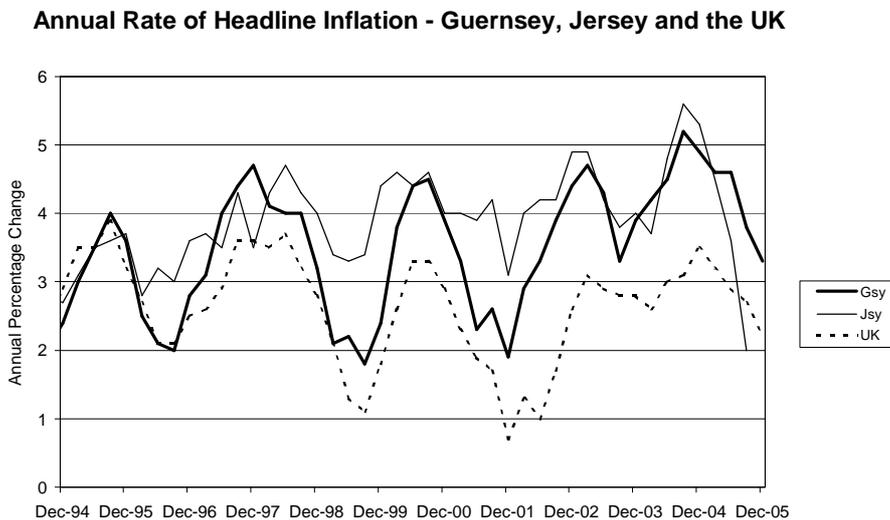


Figure 3



GUERNSEY RETAIL PRICES INDEX - DECEMBER 2005

RPI comparison with Jersey and the UK

Guernsey and Jersey tend to run at a higher rate than the UK, however in recent quarters the Jersey RPI has fallen to similar levels to that of the UK. The chart on page 3 (Figure 3) shows that inflation in Guernsey followed the general trends of the UK inflation rate, albeit at a higher level.

Table 4

		Annual Movements						Quarterly Movements		
		Guernsey		UK		Jersey		Guernsey	UK	Jersey
		Headline	RPI X	Headline	RPI X	Headline	RPI X	Headline	RPI	
1998	Mar	4.1	2.3	3.5	2.6	4.3	3.8	0.9	0.5	1.7
	June	4.0	2.3	3.7	2.8	4.7	4.1	0.9	1.6	1.2
	Sept	4.0	2.6	3.2	2.5	4.3	3.9	1.0	1.0	0.9
	Dec	3.2	2.2	2.8	2.6	4.0	3.9	0.4	0.0	0.2
1999	Mar	2.1	2.6	2.1	2.7	3.4	3.6	-0.2	-0.2	1.1
	June	2.2	3.1	1.3	2.2	3.3	3.6	1.0	0.9	1.1
	Sept	1.8	3.0	1.1	2.1	3.4	3.6	0.4	0.5	0.9
	Dec	2.4	2.8	1.8	2.2	4.4	4.3	1.1	0.7	1.1
2000	Mar	3.8	3.1	2.6	2.0	4.6	4.3	1.2	0.3	1.3
	June	4.4	3.6	3.3	2.2	4.4	4.0	1.6	1.6	1.0
	Sept	4.5	3.5	3.3	2.2	4.6	4.2	0.7	0.4	1.1
	Dec	3.9	3.8	2.9	2.0	4.0	3.4	0.5	0.3	0.5
2001	Mar	3.3	2.9	2.3	1.9	4.0	3.6	0.6	0.0	1.4
	June	2.3	2.7	1.9	2.4	3.9	3.8	0.8	1.3	0.9
	Sept	2.6	3.1	1.7	2.3	4.2	4.2	0.8	0.1	1.3
	Dec	1.9	2.9	0.7	1.9	3.1	3.6	-0.1	-0.7	-0.6
2002	Mar	2.9	3.8	1.3	2.3	4.0	4.4	1.6	0.6	2.3
	June	3.3	3.6	1.0	1.5	4.2	4.4	1.0	1.0	1.1
	Sept	3.9	3.8	1.7	2.1	4.2	4.2	1.4	0.8	1.3
	Dec	4.4	3.8	2.9	2.7	4.9	4.5	0.4	0.5	0.1
2003	Mar	4.7	4.3	3.1	3.0	4.9	4.8	1.9	0.8	2.4
	June	4.3	3.8	2.9	2.8	4.2	4.6	0.6	0.8	0.4
	Sept	3.3	3.1	2.8	2.8	3.8	4.4	0.4	0.7	0.9
	Dec	3.9	3.4	2.8	2.6	4.0	4.0	1.0	0.5	0.3
2004	Mar	4.2	3.2	2.6	2.1	3.7	3.5	2.2	0.6	2.1
	June	4.5	3.1	3.0	2.3	4.8	3.4	0.9	1.2	1.5
	Sept	5.2	2.9	3.1	1.9	5.6	3.3	1.1	0.8	1.7
	Dec	4.9	2.9	3.5	2.5	5.3	3.4	0.7	1.0	0.0
2005	Mar	4.6	3.2	3.2	2.4	4.5	2.7	1.9	0.2	1.3
	June	4.6	3.3	2.9	2.2	3.6	2.5	0.9	0.9	0.6
	Sept	3.8	3.6	2.7	2.5	2.0	1.9	0.3	0.6	0.1
	Dec	3.3	3.0	2.2	2.0	**	**	0.2	0.5	**

** Note that the Jersey RPI was not available for release at the time of publication

RPI X

A single measure of inflation may not meet all user's needs. Following the Office for National Statistics' Review of the Island's RPI, one recommendation was for the Policy and Research Unit to publish the RPI X. RPI X literally means RPI **eXcluding mortgage interest payments**; the RPI is calculated again after this item has been removed.

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IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 22nd DAY OF FEBRUARY 2006

The States resolved as follows concerning Billet d'État No VI
dated 3rd February, 2006

**THE EMPLOYMENT PROTECTION (GUERNSEY) (AMENDMENT)
LAW, 2005 (COMMENCEMENT) ORDINANCE, 2006**

I.- To approve the draft Ordinance entitled “The Employment Protection (Guernsey) (Amendment) Law, 2005 (Commencement) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE UNREGISTERED DESIGN RIGHTS (SEMICONDUCTOR
TOPOGRAPHIES) (BAILIWICK OF GUERNSEY) ORDINANCE, 2006**

II.- To approve the draft Ordinance entitled “The Unregistered Design Rights (Semiconductor Topographies) (Bailiwick of Guernsey) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

MINOR FEES, CHARGES AND CIVIL PENALTIES

III.- After consideration of the Report dated 9th January, 2006, of the Policy Council:-

1. That legislation be enacted
 - (a) to enable fees and charges prescribed by Order in Council, Ordinance or Resolution of the States to be increased, decreased or discontinued in future by Regulation of the relevant Department;
 - (b) to enable interest to be applied to accounts, which are outstanding after the agreed credit term has expired, by Regulation of the relevant Department; and
 - (c) to empower the States, by Ordinance, to amend or remove any civil penalty prescribed by Order in Council.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

COMMERCE AND EMPLOYMENT DEPARTMENT

REQUÊTE – MISUSE OF FIREWORKS

IV.- After consideration of the Report dated 12th December, 2005, of the Commerce and Employment Department:-

To note that Report but to take no action at the present time to introduce further legislation to control the sale and use of fireworks in Guernsey.

COMMERCE AND EMPLOYMENT DEPARTMENT

THE APPOINTMENT OF AN EMPLOYMENT & DISCRIMINATION TRIBUNAL PANEL AND THE DESIGNATION OF THE CONVENOR AND DEPUTY CONVENOR AS REQUIRED UNDER THE EMPLOYMENT & DISCRIMINATION TRIBUNAL (GUERNSEY) ORDINANCE, 2005.

V.- After consideration of the Report dated 21st December, 2005, of the Commerce and Employment Department:-

1. To appoint the 13 people named in Appendix I of that Report as members of the Employment and Discrimination Panel, to take effect from the commencement date of the Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005.
2. To designate Mr Peter Woodward as Convenor and Mr John S Guilbert as Deputy Convenor.

HOUSE COMMITTEE

ALDERNEY REPRESENTATIVES IN THE STATES OF DELIBERATION

VI.- After consideration of the Report dated 8th December, 2005, of the House Committee:-

To request the States of Alderney to carry out an appropriate form of public consultation regarding methods of selecting Alderney representatives in the States of Deliberation, and to report their findings to the House Committee.

STATUTORY INSTRUMENT LAID BEFORE THE STATES

THE INCOME TAX (SURCHARGES AND SUPPLEMENTS) (GUERNSEY) REGULATIONS, 2005

In pursuance of Sections 199 and 199A of the Income Tax (Guernsey) Law, 1975, as amended, the Income Tax (Surcharges and Supplements) (Guernsey) Regulations, 2005, made by the Treasury and Resources Department on 20th December, 2005, were laid before the States.

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