

**IN THE STATES OF THE ISLAND OF GUERNSEY**

**ON THE 28<sup>th</sup> DAY OF SEPTEMBER 2005**

The States resolved as follows concerning Billet d'État No XIV  
dated 9<sup>th</sup> September, 2005

**PROJET DE LOI**

entitled

**THE PROTECTION FROM HARASSMENT  
(BAILIWICK OF GUERNSEY) LAW, 2005**

I.- To approve the Projet de Loi entitled “The Protection from Harassment (Bailiwick of Guernsey) Law, 2005”, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for her Royal Sanction thereto.

**PROJET DE LOI**

entitled

**THE SMOKING (PROHIBITION IN PUBLIC PLACES  
AND WORKPLACES) (GUERNSEY) LAW, 2005**

II.- To approve the Projet de Loi entitled “The Smoking (Prohibition in Public Places and Workplaces) (Guernsey) Law, 2005”, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for her Royal Sanction thereto.

**THE LEGAL AID LAW (COMMENCEMENT) ORDINANCE, 2005**

III.- To approve the draft Ordinance entitled “The Legal Aid Law (Commencement) Ordinance, 2005” and to direct that the same shall have effect as an Ordinance of the States.

**THE PERFORMERS' RIGHTS  
(BAILIWICK OF GUERNSEY) ORDINANCE, 2005**

IV.- To approve the draft Ordinance entitled “The Performers' Rights (Bailiwick of Guernsey) Ordinance, 2005” and to direct that the same shall have effect as an Ordinance of the States.

**THE COPYRIGHT (BAILIWICK OF GUERNSEY) ORDINANCE, 2005**

V.- To approve the draft Ordinance entitled “The Copyright (Bailiwick of Guernsey) Ordinance, 2005” and to direct that the same shall have effect as an Ordinance of the States.

## **POLICY COUNCIL**

### **NOTRE DAME CHURCH AND PRESBYTERY**

VI.- After consideration of the Report dated 8<sup>th</sup> August, 2005, of the Policy Council:-

1. That legislation be enacted as recommended in that Report.
2. To approve the Projet de Loi entitled “The Notre Dame du Rosaire Church and Presbytery Law, 2005” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

## **PRIAULX LIBRARY**

### **NEW TRUSTEE**

VII.- To elect Deputy Mrs C. H. Le Pelley as a Trustee of the Priaulx Library, to replace Mr P. L. De Garis.

## **PUBLIC SERVICES DEPARTMENT**

### **NEW MEMBER**

VIII.- To elect Deputy S. J. Ogier as a member of the Public Services Department to complete the unexpired portion of the term of office of the late Deputy M. E. W. Burbridge, namely until May, 2008.

## **SCRUTINY COMMITTEE**

### **NEW MEMBER**

IX.- To elect Deputy D. W. Staples as a member of the Scrutiny Committee to complete the unexpired portion of the term of office of the late Deputy M. E. W. Burbridge, namely until May, 2008.

## **GUILLE-ALLÈS LIBRARY COUNCIL**

### **NEW MEMBER**

X.- To elect Deputy J. M. Tasker as a member of the Guille-Allès Library Council to complete the unexpired portion of the term of office of the late Deputy M. E. W. Burbridge, namely until 31<sup>st</sup> May, 2007.

## **POLICY COUNCIL**

### **WIRE TRANSFER LEGISLATION**

XI.- After consideration of the Report dated 22<sup>nd</sup> August, 2005, of the Policy Council:-

- 1 To enact legislation as set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **TREASURY & RESOURCES DEPARTMENT**

### **LATE PAYMENT AND LATE REPAYMENT OF TAX**

XII.- After consideration of the Report dated 21<sup>st</sup> June, 2005, of the Treasury and Resources Department:-

1. To amend the Income Tax (Guernsey) Law 1975, as amended, as set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **COMMERCE AND EMPLOYMENT DEPARTMENT**

### **REVIEW OF COMMERCIAL LEGISLATION**

XIII.- After consideration of the Report dated 14<sup>th</sup> July, 2005, of the Commerce and Employment Department:-

1. To approve the proposals for the revision of company and other commercial legislation in accordance with the principles set out in section 3 of that Report.
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**

XIV.- TO GRANT LEAVE TO WITHDRAW this Article, at the instance of the Minister, Commerce and Employment Department.

## **HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **MIGNOT MEMORIAL HOSPITAL RE-FURBISHMENT AND RE-DEVELOPMENT PROJECT (ADDITIONAL FUNDING)**

XV.- After consideration of the Report dated 26<sup>th</sup> July, 2005, of the Health and Social Services Department:-

1. To approve the replacement of the Aurigny Wing and refurbishment of the main hospital building at the Mignot Memorial Hospital, Alderney and approve the

completion of essential maintenance works at a total cost of £6,186,000 (including construction, equipment and consultants' fees already approved of £3,820,000).

2. To approve the appointment of Charles Le Quesne (Guernsey) Ltd as main contractor for the project.
3. To vote the Health and Social Services Department a credit of £2,366,000 in respect of the construction and essential maintenance works, such sum to be charged to the capital allocation of the Department.
4. To authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to the capital allocation of the Health and Social Services Department to cover the above requirements.

K. H. TOUGH  
HER MAJESTY'S GREFFIER

# **IN THE STATES OF THE ISLAND OF GUERNSEY**

## **ON THE 29<sup>th</sup> DAY OF SEPTEMBER 2005**

(Meeting adjourned from 28<sup>th</sup> September, 2005)

The States resolved as follows concerning Billet d'État No XIV  
dated 9<sup>th</sup> September, 2005

### **SOCIAL SECURITY DEPARTMENT**

#### **BENEFIT AND CONTRIBUTION RATES FOR 2006**

XVI.- After consideration of the Report dated 27<sup>th</sup> July, 2005, of the Social Security Department:-

1. That, with effect from 2<sup>nd</sup> January, 2006, the standard rates of social insurance benefits shall be increased to the rates set out in paragraph 11 of that Report.
2. That, with effect from 1<sup>st</sup> January, 2006, for employed and self-employed persons the upper weekly earnings limit, the upper monthly earnings limit and the annual upper earnings limit shall be £693, £3,003 and £36,036 respectively.
3. That, with effect from 1<sup>st</sup> January, 2006, for non-employed persons the upper and lower annual income limits shall be £36,036 and £12,610 respectively.
4. That the Social Insurance (Guernsey) Law 1978, as amended, shall be further amended as described in paragraphs 35 to 40 of that Report.
5. That, with effect from 1<sup>st</sup> January, 2006, the prescription charge per item of pharmaceutical benefit shall be £2.50.
6. That, with effect from 2<sup>nd</sup> January, 2006, the contribution (co-payment) required to be made by the claimant of care benefit, under the long-term care insurance scheme, shall be £140 per week.
7. That, with effect from 2<sup>nd</sup> January, 2006, care benefit shall be a maximum of £581 per week for persons resident in a nursing home or the Guernsey Cheshire Home and a maximum of £312.50 per week for persons resident in a residential home.
8. That, with effect from 2<sup>nd</sup> January, 2006, respite care benefit shall be a maximum of £721 per week for persons receiving respite care in a nursing home or the Guernsey Cheshire Home and a maximum of £452.50 per week for persons receiving respite care in a residential home.
9. That, with effect from 6<sup>th</sup> January, 2006, the supplementary benefit requirement rates shall be as set out in paragraph 68 of that Report, subject to the modifications that for a non-householder under 18 the long-term rate shall be increased from £96.35 to £100.45

and the short term rate shall be increased from £76.90 to £80.40.

10. That, with effect from 6<sup>th</sup> January, 2006, the weekly benefit limitations for supplementary benefit shall be:
  - (a) £287 for a person living in the community;
  - (b) £396 for a person who is residing in a residential home; and
  - (c) £570 for a person who is residing as a patient in a hospital, nursing home or the Guernsey Cheshire Home;
11. That, with effect from 6<sup>th</sup> January, 2006, the amount of the personal allowance payable to persons in residential or nursing homes who are in receipt of supplementary benefit shall be £22 per week.
12. That a supplementary fuel allowance of £17.00 per week be paid to supplementary beneficiaries who are householders from 28 October 2005 to 28 April 2006.
13. That, with effect from 6<sup>th</sup> January, 2006, the earnings disregard for supplementary benefit be increased to £30 per week.
14. That, with effect from 6<sup>th</sup> January, 2006, the minimum rate of non-householder rent allowance be reduced to zero.
15. That, with effect from 3<sup>rd</sup> January, 2006, family allowance shall be £12.75 per week.
16. That, with effect from 2<sup>nd</sup> January, 2006, the rates of attendance allowance and invalid care allowance and the annual income limits shall be as set out in paragraph 88 of that Report.
17. That, with effect from 1<sup>st</sup> January, 2006, the non-statutory medical expenses assistance scheme (MEAS) be extended to cover residents of Alderney.
18. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **PUBLIC SERVICES DEPARTMENT**

### **ST SAMPSON'S HARBOUR PUMPING STATION AND NORTH SIDE FIRE MAIN**

XVII.- After consideration of the Report dated 28<sup>th</sup> July, 2005, of the Public Services Department:-

To sanction the overspend of £950,160.37 on the capital vote for the construction of a new pumping station and ancillary works at St Sampson's Harbour and to extend the firemain to North Side, which overspend shall be charged to the capital allocation of the Public Services Department.

***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT NO.2) REGULATIONS, 2005**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No 2) Regulations, 2005, made by the Social Security Department on 18<sup>th</sup> August, 2005, were laid before the States.

**THE HEALTH SERVICE (PHYSIOTHERAPY BENEFIT) (AMENDMENT) REGULATIONS, 2005**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Physiotherapy Benefit) (Amendment) Regulations, 2005, made by the Social Security Department on 18<sup>th</sup> August, 2005, were laid before the States.

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (AMENDMENT) REGULATIONS, 2005**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2005, made by the Social Security Department on 19<sup>th</sup> August, 2005, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT NO.2) REGULATIONS, 2005**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Medical Appliances) (Amendment No 2) Regulations, 2005, made by the Social Security Department on 19<sup>th</sup> August, 2005, were laid before the States.

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