

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

**ON THE 31ST DAY OF MAY, 2006**

The States resolved as follows concerning Billet d'État No. X  
dated 12th May, 2006

**SOCIAL SECURITY DEPARTMENT**

**PROJET DE LOI**

entitled

**THE PUBLIC ASSISTANCE (AMENDMENT) LAW, 2006**

I.- After consideration of the Report dated 31st March, 2006, of the Social Security Department:-

To approve the Projet de Loi entitled "The Public Assistance (Amendment) Law, 2006" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE MARRIAGE FEES (GUERNSEY) (AMENDMENT) ORDINANCE, 2006**

II.- To approve the draft Ordinance entitled "The Marriage Fees (Guernsey) (Amendment) Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE LEGITIMACY (GUERNSEY) LAW (FEES)  
(AMENDMENT) ORDINANCE, 2006**

III.- To approve the draft Ordinance entitled "The Legitimacy (Guernsey) Law (Fees) (Amendment) Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE PUBLIC RECORDS (FEES FOR REGISTRATION AND CERTIFIED  
COPIES OF DOCUMENTS) (AMENDMENT) ORDINANCE, 2006**

IV.- To approve the draft Ordinance entitled "The Public Records (Fees for Registration and Certified Copies of Documents) (Amendment) Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE BIRTHS, DEATHS AND MARRIAGE CERTIFICATES (FEES)  
(AMENDMENT) ORDINANCE, 2006**

- V.- To approve the draft Ordinance entitled “The Births, Deaths and Marriage Certificates (Fees) (Amendment) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE PREFERRED DEBTS (GUERNSEY AND ALDERNEY)  
(AMENDMENT) ORDINANCE, 2006**

- VI.- To approve the draft Ordinance entitled “The Preferred Debts (Guernsey and Alderney) (Amendment) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**LADIES’ COLLEGE BOARD OF GOVERNORS**

**NEW MEMBERS**

- VII.- To elect

- (1) Mr. M. B. Riley as a member of that Board of Governors with effect from 1<sup>st</sup> June, 2006, who has been nominated in that behalf by the Education Department for election by the States;
- (2) Mrs. S. Nickolls as a member of the Ladies’ College Board of Governors with effect from 1<sup>st</sup> June, 2006, who has been nominated in that behalf by the States appointed Governors and the Education Department nominated Governors for election by the States.

**GUILLE-ALLÈS LIBRARY COUNCIL**

**NEW MEMBER**

- VIII.- To re-elect Deputy A. H. Adam as a member of the Guille-Allès Library Council with effect from 1<sup>st</sup> June, 2006.

## **POLICY COUNCIL**

### **THE UNIFORM SCALE OF FINES (BAILIWICK OF GUERNSEY) LAW, 1989**

IX.- After consideration of the Report dated 27<sup>th</sup> March, 2006, of the Policy Council:-

1. To enact legislation to increase the maxima prescribed in the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, 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.

## **POLICY COUNCIL**

### **EVIDENCE IN CIVIL PROCEEDINGS ETC**

X.- After consideration of the Report dated 10<sup>th</sup> April, 2006, of the Policy Council:-

1. To approve the amendment of the rules of evidence in civil proceedings 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.

## **POLICY COUNCIL**

### **CORPORATE ANTI-POVERTY PROGRAMME: MONITORING AND UPDATE**

XI.- After consideration of the Report dated 24<sup>th</sup> April, 2006, of the Policy Council:-

1. To note the updates on all the Action Areas of the Corporate Anti-Poverty Programme.
2. To note the monitoring proposals put forward by all Lead Departments.
3. To note the deletion of the work stream 'The former Board of Industry's fieldwork scheme' from Action Area B of the Corporate Anti-Poverty Programme.
4. To note the removal of the Commerce and Employment Department as second lead Department from Action Area B of the Corporate Anti-Poverty Programme.

5. To note the addition of the two new workstreams under Action Area F, to be led by the Commerce and Employment Department.
6. To note the timescale for providing the next Corporate Anti-Poverty Programme Update to the States of Guernsey as set out in that Report; and to direct the Policy Council to include in that Update:
  - (a) estimated costings for all original workstreams not yet implemented plus any additional workstreams which have since been identified;
  - (b) its comments on the advantages and disadvantages of implementing each of those workstreams and on their estimated effectiveness in meeting the States approved target of halving relative poverty in Guernsey.
7. To note that with the current States financial position, progress in achieving the original aims and objectives of the Corporate Anti-Poverty Programme is likely to be slower than originally envisaged.
8. To note that the Policy Council through its Social Policy Steering Group, will undertake a review of the best way to progress the Corporate Anti-Poverty Programme in light of the current financial climate.

## **POLICY COUNCIL**

### **THE GUERNSEY FINANCIAL SERVICES COMMISSION: 2005 ANNUAL REPORT**

XII.- After consideration of the Report dated 24<sup>th</sup> April, 2006, of the Policy Council:-

1. To note that Report.
2. To approve the accounts of the Guernsey Financial Services Commission for the year ended 31<sup>st</sup> December 2005.
2. To appoint the firm of PricewaterhouseCoopers CI LLP as auditors of the accounts of the Guernsey Financial Services Commission for the year ending 31<sup>st</sup> December 2006.

**TREASURY AND RESOURCES DEPARTMENT**

**EXEMPT COLLECTIVE INVESTMENT SCHEMES:  
PROPOSAL TO STREAMLINE ADMINISTRATION  
OF THE EXEMPTION PROCESS**

XIII.- After consideration of the Report dated 4<sup>th</sup> April, 2006, of the Treasury and Resources Department:-

1. To approve the changes for exemption from tax for collective investment schemes under Categories A, B and C as set out in that Report.
  
3. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

K. H. TOUGH

HER MAJESTY'S GREFFIER

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

**ON THE 1ST DAY OF JUNE, 2006**

(Meeting adjourned from 31<sup>st</sup> May, 2006)

The States resolved as follows concerning  
Billet d'État No. X dated 12<sup>th</sup> May, 2006

**TREASURY AND RESOURCES DEPARTMENT  
and  
COMMERCE AND EMPLOYMENT DEPARTMENT**

**REVIEW OF COMMERCIALISATION**

XIV.- After consideration of the Report dated 5<sup>th</sup> April, 2006, of the Treasury and Resources Department and the Commerce and Employment Department:-

1. To agree that the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 be amended to:
  - (a) add a duty for the Director General of Regulation to “regulate in a way that is proportionate to Guernsey circumstances”;
  - (b) add to the functions of the Director General of Regulation a requirement to exercise his functions and powers in a way that is “accountable, proportionate, consistent and targeted only at cases in which action is needed”;
  - (c) enable the States, by Ordinance, to give Directions to the Director General of Regulation of a strategic or general nature including the priorities for the exercise of his duties in respect of each utility;
  - (d) increase the time limit for lodging an appeal from 14 days to 28 days after publication of a Decision by the Director General of Regulation;
  - (e) delete the provisions for appeals against Decisions of the Director General of Regulation to be referred to a Tribunal and replace with provision to refer such appeals directly to the Royal Court;
  - (f) require the establishment of an independent Audit and Remuneration Committee for the Director General of Regulation one member of which, who may or may not be a States Member, shall be appointed by the Commerce and Employment Department and the other members approved by the Department on the recommendation of the Director General; but to provide for External Auditors of the Office of Utility

Regulation to be appointed by the States on the recommendation of the Public Accounts Committee;

- (g) provide for the Director General of Regulation to appoint a Deputy who can immediately take over the powers of the Director General should the Director General vacate his post before a successor has been appointed and to exercise such powers until the States appoint a successor;
  - (h) ensure that the Public Accounts Committee can examine whether public funds are being applied for the purposes intended by the States, through rights of direct access, on reasonable notice, to the records, accounts, premises and staff of the Office of Utility Regulation;
  - (i) require that the Public Sector Remuneration Committee be consulted for advice on the remuneration and conditions of service applicable to all employees.
2. To endorse the initiatives undertaken by the OUR to mitigate against an appeal by publishing draft decisions for consultation and by, where possible, engaging in mediation on any disputes over Decisions.
  3. To appoint Mr John Curran as Director General of Utility Regulation in accordance with the provisions of the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 for a period of three years commencing 1 February 2007.
  4. To note that the Treasury and Resources Department will confirm with the States Trading Companies the content required in strategic plans, review the current States Guidance to Shareholders against the principles set out in Appendix 3 of the NAO report and, if necessary, bring proposals to the States to revise that Guidance.
  5. To note that the Treasury and Resources Department will confirm with the States Trading Companies the information it requires to undertake its role as shareholder, what level of strategic decisions it expects to be involved in and which non-core activities each company should be involved in.
  6. To note that a review of the current Universal Service Obligation for postal services, including a full consultation process with interested parties, is underway and that, if necessary, the Commerce and Employment Department will bring forward appropriate recommendations to revise the obligation.
  7. To agree that approval of the proposals in that Report will confirm the status and responsibilities of all the parties involved in the commercialisation model and create an improved legislative environment for a pragmatic and risk based approach to regulation that can bring improved benefits to the community.
  8. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **HOME DEPARTMENT**

### **eGAMBLING DISASTER RECOVERY SERVICES IN GUERNSEY**

XV.- After consideration of the Report, dated 13<sup>th</sup> March, 2006, of the Home Department:-

1. To approve the Home Department's proposals for the gambling legislation to allow for eGambling operators from other jurisdictions to host and conduct disaster recovery from Guernsey.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

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

#### **THE STATES HOUSING (RENT AND REBATE SCHEME) (GUERNSEY) (AMENDMENT) REGULATIONS, 2006**

In pursuance of Section 3(1) of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2006, made by the Housing Department on 1<sup>st</sup> March, 2006, were laid before the States.

#### **THE STATES HOUSING (STATUTORY TENANCIES) (GUERNSEY) (AMENDMENT) REGULATIONS, 2006**

In pursuance of Section 2 of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Statutory Tenancies) (Guernsey) (Amendment) Regulations, 2006, made by the Housing Department on 5<sup>th</sup> April, 2006, were laid before the States.

#### **THE STATES HOUSING (TRIBUNAL AND APPEALS) (GUERNSEY) (AMENDMENT) REGULATIONS, 2006**

In pursuance of Sections 1 to 5 of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Tribunal and Appeals) (Guernsey) (Amendment) Regulations, 2006, made by the Housing Department on 5<sup>th</sup> April, 2006, were laid before the States.



**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST)  
(PHARMACEUTICAL BENEFIT) (AMENDMENT NO 2)  
REGULATIONS, 2006**

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, 2006, made by the Social Security Department on 19<sup>th</sup> April, 2006, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT)  
REGULATIONS, 2006**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Medical Appliances) (Amendment) Regulations, 2006, made by the Social Security Department on 19<sup>th</sup> April, 2006, were laid before the States.

S. M. D. ROSS

HER MAJESTY'S DEPUTY GREFFIER