



BILLET D'ÉTAT

IV
2005

WEDNESDAY, 27th APRIL, 2005

1. Projet de Loi entitled "The Racial Hatred (Bailiwick of Guernsey) Law, 2005", p. 411.
2. The Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 (Commencement) Ordinance, 2005, p. 411.
3. Policy Council - 2006 Census, p. 412.
4. Treasury and Resources Department – Appointment of Non-Executive Director – Guernsey Post Limited, p. 419.
5. Treasury and Resources Department – Royal Court – Essential Maintenance and Refurbishment, p. 421.
6. Commerce and Employment Department – Gas Safety, p. 444.
7. Home Department – Parole Review Committee, p. 448.
8. Social Security Department – Extension of Supplementary Benefit to include Public Assistance Claimants, p. 455.

Ordinance laid before the States

The Ivory Coast (Restrictive Measures) (Guernsey) Ordinance, 2005, p. 478.

APPENDIX

Treasury and Resources Department – Guernsey Post Limited – Submission of Annual Accounts, p. 479.

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 27th APRIL, 2005,** at 9.30am, to consider the items contained in this Billet d'État which have been submitted for debate by the Policy Council.

DE V. G. CAREY
Bailiff and Presiding Officer

The Royal Court House
Guernsey
8th April 2005

PROJET DE LOI

entitled

THE RACIAL HATRED (BAILIWICK OF GUERNSEY) LAW, 2005

The States are asked:-

I.- Whether they are of the opinion to approve the Projet de Loi entitled “The Racial Hatred (Bailiwick of Guernsey) Law, 2005”, and to direct the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE INTELLECTUAL PROPERTY (ENABLING PROVISIONS) (BAILIWICK OF GUERNSEY) LAW, 2004 (COMMENCEMENT) ORDINANCE, 2005

The States are asked:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 (Commencement) Ordinance, 2005”, and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

2006 CENSUS

Executive Summary

The next Guernsey Census is due to take place in 2006. If the recommendations of this Report are approved it will result in:-

- i. a Census not being conducted in 2006;
- ii. a full Census taking place in 2011; and
- iii. the Policy Council working collaboratively with other Departments to develop population related data, including estimates of population levels between Censuses.

Background

The States of Guernsey has authorised the undertaking of a full Census every five years since 1976. The last Census was carried out in April 2001 and thus the next one is due to take place in 2006. The conducting of a Census requires a not inconsiderable financial resource and a budgetary requirement in the order of £405,000 to £480,000 could be expected for 2006.

In considering the case for running the 2006 Census the Policy Council has examined whether:-

- i. it is still necessary to conduct a five yearly Census;
- ii. there are alternative means of obtaining the essential data that a Census provides; and
- iii. should it be decided not to conduct a full Census until 2011, a shortened one should be carried out in 2006.

Consultation has taken place with States Departments and the Strategic Population Review Group, and their input has been of great assistance to the Policy Council in forming the recommendations that appear at the end of this Report. Some Departments have indicated that not holding a Census in 2006 could have a slight affect on their planning process. However, they acknowledge that this is outweighed by the significant cost saving.

Previous Census Timescales

Until 1976 the States undertook a ten-yearly Census. The principal reason cited by the States for moving to a quinquennial Census, (Billet d'Etat X, 1975), was that it would facilitate the monitoring of, and planning for, the fast changing population trends that were being experienced at that time. The population changes experienced between 1951 and 2001 are depicted in table and graph form as Appendix 1 to this Report.

The large increases that occurred, particularly in the late 1960s, however, did not continue throughout the 1980s and 1990s. Although the population increased by 6,494 between 1981 and 2001 it did so by less than half the growth rate between 1951 and 1971 when a rise of 13,806 was experienced. Further evidence of a point being reached of a near stabilisation of the population size is provided through the last two Censuses. Between 1991 and 2001 a net increase of 940 took place although the Census taken in 1996 revealed that a reduction of 186 had taken place.

The Policy Council believes that the decline in the overall rate of increase in the Island's population suggests that the case is reduced for holding a five-yearly Census for the principal purpose of monitoring population size.

Rationale For Not Conducting the 2006 Census

It is the view of those agencies and government departments, such as the UK Office of National Statistics, that are responsible for conducting Censuses, that it is becoming increasingly difficult to hold a Census that produces accurate results. This is being blamed on various factors including the existence of a more transitory population, a greater reluctance by some members of the public to complete a Census form and the existence of 'survey fatigue'.

At the same time, the development of administrative records has grown rapidly, with much of the key data usually obtained by a Census, (for example, age, gender and employment status of the population), already held on various government databases. The computerisation of such records, particularly over the last 10 to 15 years, means that, given the ability to access these sources and extract aggregated information, a real alternative to holding Censuses more frequently than ten yearly is rapidly becoming possible.

Alternative Means of Data Collection

Current Sources

The Policy Council's research reveals that much of the data collected via the Census would be available from a number of States Departments such as the Social Security, Education, Treasury and Resources (Cadastre) and Housing Departments.

As an example, population related data is collected regularly by the Social Security Department within its remit of collecting social security contributions and paying a

wide range of benefits. Much of this data, particularly in regard to population age, gender, occupation and economic sector, is already provided in aggregate form to the Council's Policy and Research Unit.

A benefit of developing departmental data is that it is frequently updated and accessible compared with a snapshot survey providing population statistics on one day every five or ten years.

Appendix 2 provides details of the main data sources that could be accessed to provide high-level population data between Censuses.

Development of an electronic citizenship database

Exploratory work is already underway on testing out the concept of an 'electronic citizenship database' – this project was approved by the States in July 2003 (Billet d'Etat XVI, 2003).

This project is intended to provide a central database holding non-confidential information on citizens that could be shared amongst States Departments, as necessary. Much data is currently duplicated across Departments and the streamlining of data transfer and maintenance of a corporate database should provide considerable benefits both to States Departments and across the wider community. Subject to the establishment of appropriate safeguards to ensure confidentiality, aggregate demographic data could be provided as another alternative to collection via Census. Furthermore, data collected via an electronic citizenship database should have the advantage of being available almost 'on demand' as compared to five-yearly through existing Census arrangements.

As part of the work being carried out by the Council's e-Government Steering Group a pilot project has been set up involving the Health and Social Services and Social Security Departments. Notwithstanding that this project is in its infancy and that there are issues concerning data sharing, confidentiality and protection to resolve, the Policy Council wishes to reaffirm its commitment to investigating the establishment of an electronic citizenship database.

Recent and Ongoing Population Estimates and Projections

The former Advisory and Finance Committee's Economics and Statistics Unit, (now the Policy Council's Policy and Research Unit), has worked closely over the years with the UK Government Actuary's Department to produce population estimates and projections. These have been based on a complex methodology, taking into account the key indicators of birth and death rates and migration. These projections have been primarily constructed during inter censal periods and have provided a basic 'head count' as well as supplementary analyses by population age and gender.

In 1998 the Advisory and Finance Committee published a substantial report entitled '*Population & Housing Policies*' containing population projections based on

Guernsey's 1996 Census benchmark population data. The report included a population projection through to 2041. Although the projection covered a long timescale and, the longer the time period the more the projection is susceptible to unpredictable factors, it is nevertheless acceptable to produce projections that are formally checked via a Census only every ten years – that the population projection for 2001 contained within '*Population & Housing Policies*' fell well within acceptable limits supports this practice.

In addition, the Policy Council's Policy and Research Unit produces annual school roll projections for the Education Department based on benchmark Census data and UK Government Actuary's Department estimates.

Although it would not be possible to construct population estimates and projections for all the key data that would be collected via a Census, basic information such as population head count, and gender and age group breakdowns should be able to be produced between Census periods by collating existing data sources and there is an opportunity for enhancing such data through the development of the electronic citizenship database project.

Summary

- i. The Policy Council does not consider running a Census in 2006 to be essential on statistical grounds. The resources of its Policy and Research Unit would be more effectively utilised to build on developments already underway including participation in the research into the development of the electronic citizenship database project.
- ii. By carrying out a ten-yearly Census in 2011, consistency with the United Kingdom would be achieved. Other small island jurisdictions such as Jersey, Malta and Gibraltar have also recently moved to a ten-yearly Census.
- iii. Guernsey should not be disadvantaged by moving to a ten-yearly Census. By not conducting one in 2006 the opportunity will be provided to review and consolidate the wealth of statistical data available across States Departments which should be enhanced by the successful development of an electronic citizenship database.
- iv. By not undertaking a Census in 2006 the Island will be avoiding expenditure in the order of £405,000 to £480,000.

Recommendations

The Policy Council recommends the States as follows:-

- i. to approve that a Guernsey Census will not be held in 2006;
- ii. to approve that a Guernsey Census will be held in 2011;

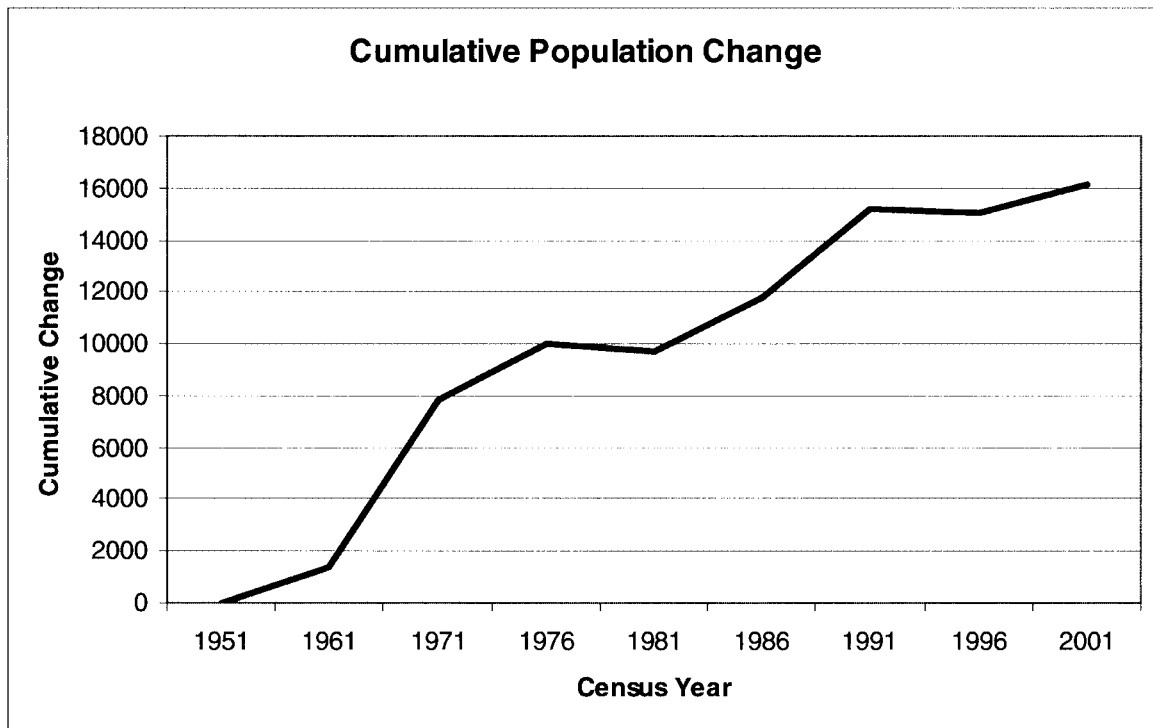
- iii. to direct the Treasury and Resources Department to take into account the financial resources required for further research into the development of an electronic citizenship database and other means of gathering and collating relevant population data when recommending to the States the revenue and capital allocations for 2006 and subsequent years, and
- iv. to direct States Departments to contribute to the development of collating population data, including projections of population total, between Census years, as required.

B M Flouquet
Deputy Chief Minister

23rd March 2005

Appendix 1: Changing Population Trends

Year	Population	5 year Change	10 Year Change	Cumulative Change
1951	43,652			
1961	45,068	-	1,416	1,416
1971	51,458	-	6,390	7,806
1976	53,637	2,179	-	9,985
1981	53,313	-324	1,855	9,661
1986	55,482	2,169	1,845	11,830
1991	58,867	3,385	5,554	15,215
1996	58,681	-186	3,379	15,029
2001	59,807	1,126	940	16,155



Appendix 2: Main Administrative Sources of Data

Department	Data Available	Equivalent Census Data
Social Security	Age and sex of population (those claiming health benefit or contribution records)	Age and sex of population
	Employment Data by economic sector	Employer and Occupation by economic sector
	Employment Status	Employment Status
Treasury and Resources (Cadastre)	Housing Data, open and local market	Number of rooms, bedrooms, open and local market
Education	Some data on educational qualifications	Educational Qualifications

(NB The Treasury and Resources Department supports the proposals)

The States are asked to decide:-

III.- Whether, after consideration of the Report dated 23rd March, 2005, of the Policy Council, they are of the opinion:-

1. That a Guernsey Census shall not be held in 2006.
2. That a Guernsey Census shall be held in 2011.
3. To direct the Treasury and Resources Department to take into account the financial resources required for further research into the development of an electronic citizenship database and other means of gathering and collating relevant population data when recommending to the States the revenue and capital allocations for 2006 and subsequent years.
4. To direct States Departments to contribute to the development of collating population data, including projections of population total, between Census years, as required.

TREASURY AND RESOURCES DEPARTMENT

APPOINTMENT OF NON-EXECUTIVE DIRECTOR – GUERNSEY POST LIMITED

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

24th February 2005

Dear Sir

With the retirement of Mr David Warr and Mr Terry Holder, there are now only three non-executive directors on the Board of Guernsey Post Limited, Mr Roger Perrot, Mr Dudley Jehan (Chairman) and Mr David Roberts.

In view of the current review of the commercialisation and regulation arrangements, and having discussed this matter with the remaining non-executive directors, the Treasury and Resources Department considers that, at this point in time, only one replacement non-executive director should be appointed.

Mr Jeffrey Kitts has agreed that his name could be put forward.

Mr Kitts is a former chairman and proprietor of Ruelle Braye Motors Limited and Jeffrey Service Station Limited. These businesses were sold in 2003.

Mr Kitts was elected as a States Deputy in 1994 and again in 1997 having previously been a non-States Member on the Island Traffic Committee in 1986 and in 1992 a member of the States Income Tax Tribunal Board. He has served as President of the Civil Service Board and Income Tax Authority, Vice-President of the Island Traffic Committee, States Electricity Board and a member of the Advisory and Finance Committee.

In 2001 he was elected Constable of the Vale Parish and served a three-year term of office.

He has also been President of the Guernsey Round Table, Rotary Club of Guernsey, Guernsey Motor Traders' Association and Guernsey Motor Cycle and Car Club.

Recommendation

In accordance with the States Trading Companies (Bailiwick of Guernsey) Ordinance, 2001, it is recommended that the States approve the appointment of Mr Jeffrey Kitts as a non-executive director of Guernsey Post Limited.

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

Yours faithfully

L S Trott
Minister

(NB The Policy Council supports the proposal)

The States are asked to decide:-

IV.- Whether, after consideration of the Report dated 24th February, 2005, of the Treasury and Resources Department, they are of the opinion:-

To approve the appointment of Mr Jeffrey Kitts as a non-executive director of Guernsey Post Limited.

TREASURY AND RESOURCES DEPARTMENT

ROYAL COURT – ESSENTIAL MAINTENANCE AND REFURBISHMENT

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

21st March 2005

Dear Sir

Executive Summary

The Treasury and Resources Department acknowledges that, as a responsible landlord, it finds itself in the difficult position of bringing this Report to the States. The Department is only too aware that States' funds are limited and of the need to prioritise spending rigorously and to secure value for money when making financial commitments.

However, the subject of this Report is not new and there remains little option other than for the Treasury and Resources Department to bring to the States at this time, this request for major maintenance works to be carried out on the Royal Court.

- As set out in recent Policy and Resources Plan and Budget Reports, the maintenance of existing States Assets has been identified as a priority area.
- Major essential maintenance of the historic Royal Court has been deferred from previous years. This was until a solution could be found that would not be intrusive or disruptive to judicial, parliamentary and civic business and which would not incur unnecessary expenditure on areas which might change due to intervention works.
- A condition survey, recently updated, identified in particular the roof as being in **urgent** need of repair. Sections of the mechanical and electrical infrastructure require upgrading and renewal; failure to do so increases the risk of a major systems breakdown.
- The Bailiff has concurred with the suggestion that it would be sensible to temporarily vacate the historic premises once the extension is completed, in order to allow the fabric and systems to be repaired or renewed with maximum speed. (See Appendix A.)

- Using this opportunity to take a managed approach to the conduct of the repairs and maintenance will result in the States ensuring that the best value for money is obtained.
- Greater security risks and costs would be involved if the Judiciary had to operate from time to time from offices remote from the Courts, during an extended contractual period or a succession of contracts.
- There will also be temporary implications for the States of Deliberation. It is proposed that the States Debates take place in the new large courtroom during the period of maintenance and repairs. The House Committee concurs that what is proposed will be a practical, cost effective solution.
- The work would be scheduled to start in early 2006 and take approximately 8 months.
- The cost is estimated at £2,850,000.
- The work will be competitively tendered, with R G Falla Ltd retaining responsibility for Health and Safety matters, as the refurbishment will coincide with the intervention work that forms part of the main contract, necessary to allow the extension and the historic building to operate as a single complex.
- Members may wish to take the opportunity during this period to install an electronic voting and sound enhancement system in the debating chamber. An initial high-level estimate quotes a cost of £150,000.

Background

In the original Policy letter of September 2002, regarding the refurbishment of the existing Royal Court building, the then Board of Administration recorded that:

Essential works remain ongoing, as delays cannot be allowed to compromise security or accelerate deterioration etc. In parallel with the extension of the Royal Court, a phased strategy for the ongoing refurbishment / maintenance of the existing facilities is being developed. This strategy will be refined in consultation with users, as well as with the Advisory and Finance Committee and the Heritage Committee. A Conservation Statement in respect of the Royal Court has been prepared. Future refurbishment works and maintenance will need to take account of the historic nature of the existing building and will require appropriately sensitive treatment. They will be influenced by any future decisions regarding the design of the States Chamber and simultaneous electronic voting.

Key aspects of the refurbishment/maintenance strategy include:

- a) *An integrated and co-ordinated approach between the phased maintenance works and the initial alteration works under this capital scheme.*
- b) *Minimised disruption to Court users through effective and practical programming.*
- c) *Achieving best value for money.*
- d) *Taking into account conservation and heritage issues.*
- e) *Integration of ICT and other systems with the new Court extension.*

The Court users and the Treasury and Resources Department have now developed further this phased strategy for the essential maintenance works to the Court building.

As part of its comprehensive investigation of the need for additional courtrooms together with accommodation for the Judiciary, Law Officers and the Greffe, the former Board of Administration commissioned several condition surveys. These highlighted parts of the fabric, structure and infrastructure that were in need of attention. The roof was noted as being in a particularly bad state of repair and the poor means of access combined with a lack of safety equipment meant that carrying out any maintenance on the roof was considered dangerous. Sections of the mechanical and electrical systems also required upgrading and renewal.

Many repairs, identified as essential in the condition surveys, were delayed pending the design of the new extension and associated interventions. This was done to avoid abortive expenditure on areas that would be changed under that contract. The condition survey was reviewed earlier in 2004 and the conclusions confirmed the findings of earlier reports (see Appendices B, C and D).

Failure to conduct these overdue repairs at the time the building is unoccupied will inevitably lead to a more expensive and less efficient solution. By adopting a managed approach, the States will achieve the best value for money – essential in these straightened times – than by being forced into a reactive position. There is a risk of damage to the fabric of the historic building if the roof fails and of a major breakdown if electrical and mechanical systems are not repaired. Either event could render the Royal Court inoperable until emergency repairs are performed.

The only work scheduled in the old building as part of the main Royal Court extension contract is to allow the new and historic buildings to operate as a single court complex for fire, security and access purposes. No maintenance work is included in the current contract already approved by the States.

Machinery of Government Changes

On 17th May 2002, the States resolved to direct the States Procedures and Constitution Committee to report to the States and submit appropriate proposals...for voting in the

States of Deliberation, to include provision for simultaneous electronic voting, and in Department (Billet D'Etat. VII)

The installation of an electronic voting and sound enhancement system in the debating chamber is estimated to cost £150,000. It is stressed that this figure is purely indicative at this stage. Further investigation will be necessary to determine the full scope of work required and to identify any economies of scale to be gained by combining this installation with the proposed electrical maintenance work in the States Debating Chamber. Members are asked to note that the House Committee will be bringing this matter back to the States in the near future and Treasury and Resources will make provision in the works timetable to install the necessary equipment if so instructed. However, it must be emphasised that no financial provision has been made in the vote requested in this States Report.

The States also resolved in May 2002, to direct the Advisory and Finance Committee to submit appropriate proposals for the design and equipping of a States Chamber, and supporting facilities.

The Advisory and Finance Committee returned to the States in October 2003 and advised that *“the present Royal Court should be adapted for the purpose of the States Chamber once the new Court Buildings are erected”*. (Billet D'Etat. XXIV). The States subsequently resolved *“to agree to defer the preparation of plans and costings to alter the Royal Court Chamber and to require the Policy Council, once established, to bring forward such proposals during 2005”*.

The Policy Council has recently considered the option of including alterations to the States Chamber to reflect the decision in October 2003 and considers that the cost of such changes cannot be justified in the current financial climate and that the emphasis must remain on essential maintenance only, a view shared by the Treasury and Resources Department.

Court Operations

The Judiciary has indicated that they are prepared to transfer temporarily all judicial operations presently carried out in the existing Courts and offices, known as The Royal Court, to the extension when it is completed at the end of 2005. The Judiciary are prepared to operate in the extension to facilitate the carrying out of urgent repairs and maintenance to the old Royal Court building. They have emphasised the need to return to the existing building at the earliest practicable date in order to avoid unacceptable delay in the discharge of civil court business. (See Appendix. A)

The Treasury and Resources Department is mindful of the intense pressure and inconvenience that this, far from ideal solution, will impose on the Judiciary and is grateful that they have agreed to cope with the consequences of the temporary move.

It will also be necessary to create a temporary civil courtroom in the area designated for HM Sheriff/HM Sergeant. The lease of Cambria House, New Street, where HM Sheriff/HM Sergeant are accommodated expires in June 2006. The delay in moving

that court department into the new extension will maximise the efficient use of the residue of the term of that lease as well as freeing up accommodation in the new extension during the recommended contract period.

Essential work is long overdue in the Greffe strong room. Investigations are continuing into the most appropriate solution for temporarily relocating the records held in the strong room, whilst keeping them accessible within the security of the court complex.

States Meetings

The proposals will also have temporary implications for the States of Deliberation. It is proposed that States Meetings should take place in the new large courtroom during the period of maintenance and repairs. The House Committee concurs that what is proposed will be a practical, cost effective solution.

Accommodating debates in this way is feasible, both in space and court hearing terms, and will continue to provide a good level of security as well as avoiding the cost of hiring another alternative venue for a number of sessions, the duration of which cannot be predicted with certainty, and may on occasion overrun and therefore require a reserve date to reconvene 14 days later.

Adjoining Land

The redevelopment of the Royal Court has generated the release of two valuable parcels of land that formed part of the former prison site. These areas compromise a triangular area of 136m² and a rectangular area of 650m².

These land parcels could, depending upon development approvals and any restrictions, facilitate the generation of income, either capital or revenue, or both from the States and are likely to provide consideration to offset the capital vote required.

Such potential development opportunities will be explored by the Treasury and resources Department in order to maximise the commercial return to the States and offset this against expenditure incurred. To this end a Rationalisation Strategy is being formulated to incorporate all States current land and property holdings evaluating their cost, and worth, to the States.

Present Position

The Treasury and Resources Department commissioned a study by the Royal Court Advisory Team to establish the feasibility of implementing the temporary move proposal including an analysis of the impact on the current contract with R G Falla Ltd. As a result interventions work necessary to link the old and new buildings, such as the replacement of accommodation for the Secretary to the Bailiff and his/her assistant, and also the secretarial staff who support the Judiciary, have been removed from the current contract and will be undertaken by R G Falla Ltd when the Royal Court has been vacated.

In summary, the feasibility study showed that there were a number of benefits in being able to offer unhindered access to the vacated Royal Court for the maintenance/repair work and the interventions:

Efficient working -

The programme for the maintenance work will be considerably shorter than if the Royal Court was in operation there. Repairs and alterations can be progressed freely on a number of work-fronts, unhindered by the presence of staff and public and the consequential and comprehensive safety and security issues.

Cost effective solution -

This solution provides an effective way of conducting essential maintenance in the Royal Court, by avoiding out of hours and weekend working, which would result in additional costs.

Management of Heritage issues -

Commencing work in the historic Royal Court building in early 2006 will allow greater time for continued close liaison with the Environment Department over planning and heritage issues.

Minimise disruption -

Carrying out the works in one phase both maximises economies of scale and decreases the programme length. The business of the States and the Court can continue uninterrupted in the extension. .

Costs and Funding

- Maintenance of the Royal Court is regarded by the Treasury and Resources Department as a priority on the States' Estate.
- The States agreed (through the Policy and Resource Plan) that maintenance should be a priority and in future, maintenance monies should be ring-fenced.
- It is not a question of whether the extensive maintenance and repair should be carried out, but when that should be. The decision of the Judiciary and the House Committee will create a unique opportunity to do so with minimum disruption and maximum cost benefit.
- The works proposed are all necessary to preserve the fabric of the Royal Court and to keep the building operational.

The total cost is £2,850,000, including allowances for inflation, fees, surveys and risk.

The scope of the maintenance works broadly comprises: -

- Extensive maintenance and replacement works to roof covering and structure.
- Repairs to structural timbers where necessary.
- Repairs and cleaning to external walls.
- Repainting external woodwork.
- Repairs to external windows and doors.
- Replacement of existing heating system.
- Replacement of power and lighting.
- Maintenance and repair to existing fittings where necessary.
- Replacement/repairs as necessary to wall, floor and ceiling finishes.
- Redecoration as necessary.
- Repair and repainting of internal woodwork.
- Removal of asbestos.
- Replacement of Data and Telephone cabling.
- Repair and replacement of redundant plumbing systems.

If this project is approved the balance remaining on the Capital Reserve is expected to be about £42million.

Procurement

The repair and maintenance work is to be competitively tendered with R G Falla Ltd retaining responsibility of the Court complex for Health and Safety matters and for overseeing co-ordination of the work – the ‘prime’ contractor role. There are no additional costs to the original contract with R G Falla Ltd.

Ensuring that a single contractor has overall responsibility gives the benefit of:

- The Royal Court users retain a single point of contact with the prime contractor;
- Reduction of additional disruption and unclear lines of responsibility which are risks if two or more contractors are on site together in the same area;
- Reduction of conflicts in programme, with resulting delays;
- Demonstration of value for money with a competitively tendered contract.

Recommendations

After consideration of this Report the States are recommended:

1. (a) to approve the major refurbishment of the Royal Court as set out in this report at a total cost not exceeding £2,850,000.

 (b) to authorise the Treasury and Resources Department to approve the issue and acceptance of all tenders in connection with the project and to approve a capital vote, not exceeding £2,850,000 such sum to be charged to its capital allocation.

 (c) to authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to its capital allocation in respect of this project.
2. to note that it will be necessary for the States of Deliberation to convene for a number of sessions in 2006 in the larger of the two new court rooms whilst the proposed maintenance works are undertaken.
3. to note that the House Committee will bring forward in due course, in accordance with the States Resolutions of 17th May 2002, proposals for voting in the States of Deliberation to include provision for simultaneous electronic voting.
4. to direct the Treasury and Resources Department to maximise the value of the land parcels adjoining the Royal Court complex as set out in this Report.

Yours faithfully

L S Trott
Minister

The Minister
Treasury and Resources Department
Sir Charles Frossard House
La Charroterie
St Peter Port
Guernsey
GY1 1FH

4th March 2005

Dear Sir,

The Bailiff has asked me to respond to the request made to the Judiciary to temporarily vacate the existing Royal Court building in 2006 during the course of the long delayed refurbishment work to the entire roof and the execution of other essential maintenance work.

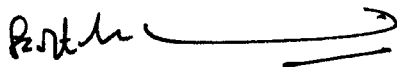
The request has been considered by the Judiciary comprising both Judges and Jurats. I am pleased to report that your request was readily accepted. I have nevertheless been requested to make a number of points:

1. The Judiciary see the merit in carrying out the considerable range of work to the building during a continuous period. If the works were to have been scheduled on a piece meal basis over a number of years it would have been unacceptably disruptive to the administration of justice. Furthermore if we were required to work in close proximity to the proposed works the degree of noise would be unacceptable.
2. Your Department has calculated that it will be more cost effective to carry out the works as proposed within a vacated building. The Court recognises the merit in so doing and the imperative need to limit the cost of the works.
3. The proposals will necessarily involve delay in certain officers of the Court occupying rooms designated for them in the extension. The proposals will also require the creation in the extension of an extra temporary Court Room for civil business for the duration of the works. It will be imperative that the programme of works in the existing building is completed on time. We will be able to cope in the limited space in the extension into which we will be shoehorned but in coping there will be some adverse impact on the timely discharge of our civil work. Some catching up on our civil law case load will be necessary when we return to the existing building but we will provide for this.
4. It is worth noting that if the Judiciary for a number of months were to be spread out over a number of locations, even if acceptable sites could be found, such a solution would not prove to be cost effective nor an efficient use of limited resources. Furthermore it would raise a number of potentially unsatisfactory security considerations.

5. We are satisfied that we can build into the Court use timetable scheduled meetings of the States of Deliberation. These would be held in the larger of the two new Court Rooms. We understand that the House Committee commends this cost effective solution, which will have self-evident security benefits.
6. We believe that we can maintain moral and work efficiently during the duration of the programmed works provided that we can return to the existing building on the scheduled date. We understand that the Project Board in due time will be exploring with the prospective contractors whether we can gain access to some of the building before the final completion of the entire refurbishment programme. The Court will expect to be kept fully informed of progress throughout the duration of the works.

Finally I have been asked to convey to you and the Policy Council the gratitude of the Royal Court for your continuing support. The proposed works will result in the delivery of an entire Courts complex which will provide us with the potential to discharge the administration of justice in this Bailiwick cost effectively and efficiently.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Geoffrey Rowland', followed by a long, horizontal, slightly wavy line that ends in a small hook.

Geoffrey Rowland
Deputy Bailiff

Copy to: The Policy Council

**REPORT ON CONDITION AND
MAINTENANCE REQUIREMENTS
CONCERNING
ROYAL COURT ROOF AREAS**

CAR/AMW/S96154

NOVEMBER 1996

SECTION 1: INTRODUCTION/GENERAL COMMENTS

This report has been prepared following inspection of the relevant areas between the dates of the 28th and 30th of August 1996. Budget cost information has been provided in consultation with W T Partnership, Chartered Quantity Surveyors.

Inspection has been carried out within all accessible roof areas, and from eaves level or adjacent vantage points externally. Adequate access has not been available to isolated roof areas, both internally and externally, and in these positions we have assumed that conditions are essentially as per adjacent coverings/areas. Where access has not been possible for close inspection, comment is made accordingly.

Roof areas are indicated by the attached layout plan, numbered S96154/1. For reference purposes, main roof areas are referred to as areas A - H, with individual roof slopes numbered 1 - 40. The same references are used to describe roof structures.

The Condition/Maintenance Schedule included within this report deals with the older east part of the building, comprising areas A - G within section (i) and the new west extension, Area H, within section (ii)

We confirm that the following report is intended to detail general conditions and current or medium term requirements, presented in a tabulated format as requested. This does not represent a Structural Survey Report, and the report does not detail all minor faults or imperfections, most particularly those which do not have a significant bearing on the overall integrity or durability of roof coverings/elements.

SECTION 2: REPORT SUMMARY

The general conditions apparent to the main roof areas would be briefly summarised as follows:-

(i) ORIGINAL EAST BUILDING (AREAS A - G)

Roof coverings to the above building areas are largely of natural slate, set upon timber battens and partial bitumen underfelt. Parapet gutter linings and cappings are mostly of lead. Bitumen felt coverings are provided to roof 3 in area A.

The general condition of slating is similar throughout each of these areas, with slating clearly being subject to isolated breakages and previous re-fixing, and with nail fixings subject to varying degrees of corrosion. Conditions are such that coverings will require regular and increasing maintenance, and re-slating will become a necessity in the relatively short term, most probably within the next five or ten year period. Periodic maintenance works may be undertaken initially, with a view to replacing coverings within the above timescale. Early re-slating of west slopes might be considered due to a lack of adequate/safe access for regular maintenance, and we have allowed for re-slating of certain of the most severely deteriorated areas within costings provided for very short term works (ie during 1997).

There is potential for water ingress at each of four chimney positions, and basic repairs should be allowed for as part of forthcoming works. However, the only means by which damp penetration at chimneys could be prevented entirely would be by re-constructing these to include damp proof coursing, and this should be considered. Immediate precautionary works would be advisable in respect of certain timbers adjacent chimneys which are affected by slight dampness, and are thus at risk of rot.

Parapet walls are mostly provided with lead cappings which appear largely intact, although inappropriate fixings create some risk of failure. Re-fixing or overhaul should therefore be undertaken initially, with allowance for more widespread replacement in conjunction with re-slating. Lead gutter linings should be dealt with in the same manner. Rainwater goods and joinery presently require routine attention.

The timber roof structures to these areas are of a conventional nature, and despite their age, we consider that these are presently in a reasonable condition. There is however potential for rot to occur to certain timber elements, due to their being in direct contact with potentially damp solid granite wall construction. This is a normal risk in properties of this age.

Preventative works would however be advised in isolated areas, particularly to roof area E where a degree of dampness creates risk of decay. Preservative treatment, provision of ventilation and upgrading of insulation should all be considered during forthcoming works.

In conclusion, we would advise that the roof areas to the original part of the building are presently in need of thorough general overhaul, and that a more comprehensive re-covering exercise, including upgrading of associated elements including parapets, chimneys, etc will be required in the short term. The stage at which these major works will be required will be dependent upon conditions being reviewed periodically, taking into account the level of maintenance works required to maintain watertightness. We would expect such works to become a necessity within the next five or ten years, although the determining factor in establishing timescale will be the time at which maintenance/repair requirements reach an unacceptable level.

Immediate repairs, necessary primarily to retain/ensure watertightness, will involve significant expenditure, and unfortunately a proportion of this expenditure would be duplicated by major re-slating works in the short term. Costs relating to maintenance of a deteriorating roof covering would obviously be prevented by early re-slating, although we consider that the existing covering does have a limited remaining useful life. This duplication could only be avoided by either bringing forward re-slating, or carrying out only minimal holding works until re-slating. The approach to be taken will therefore require careful consideration.

(ii) NEW WEST BUILDING (AREA H)

Roof coverings in this area are of fibre cement slate, with lead valleys and flashings at the perimeter/abutment positions. Coverings are presently in a reasonable condition, and only limited maintenance works are required initially.

A degree of deterioration is noted to hips/ridges, various flashings, etc, and as such we would advise that a general repair exercise be scheduled within the next five year period. This will involve relatively limited and isolated repair works.

The nature of fibre slate coverings are such that these frequently deteriorate relatively rapidly, and may provide a lifespan of little more than twenty years from new. There is therefore potential for re-slating to become a requirement in the foreseeable future, and possibly towards the end of the next ten year period. However, it is not possible to be specific as to rates of deterioration, and a longer remaining lifespan may well be possible.

The roof structures to this building are in good order, and only minimal works are required in the short term.

The bitumen felt roof to area 39 requires immediate replacement, and allowance should be made for rot repairs to the underlying structure. Roof area 40 may be dealt with according to intended usage of this small outbuilding.

SECTION 3: RECOMMENDATIONS CONCERNING PROGRAMMING OF WORKS

Whilst the condition of various roof coverings/elements differs considerably throughout the individual areas of the building, and the urgency with which repairs are required is equally varied, it is necessary that works be programmed in such a way that the numerous necessary repairs be undertaken as part of a pre-established programme of works, rather than on a piece meal basis.

The fact that substantial costs will be incurred in respect of access scaffolding demands that short/medium term works be grouped/prioritised such that access to roof areas need be provided as infrequently as possible. It is therefore not appropriate to schedule works on an annual basis, and a five yearly or similar programme would be more realistic, although this might necessitate carrying out certain works before they are absolutely necessary in order that they can be grouped with other more urgent repairs.

Obviously, there will be certain periodic maintenance works (ie replacement of individual defective slates) which cannot be fully included in such a programme, whereas these will need attention as defects occur. However the large proportion of these works should be of a comparatively minor nature only, and it should be possible for these to be undertaken without provision of full scaffolding.

Therefore, in providing guidelines as to urgency of works, we have recommended that allowance be made for carrying out initial overhaul of roof areas within the next year (ie during 1997), and for widespread replacement of coverings in approximately five or ten years time (2001 - 2006) although exact dates would need to be reviewed at that time dependent upon the extent of deterioration which had occurred. Additional longer term works are referred to in respect of the roof areas of the new west building.

We accept that prioritising the necessary works calls for a series of judgements based on current conditions and anticipated rates of deterioration, and as such any maintenance/repair programme must allow scope for priorities to be re-assessed depending on the rate of actual deterioration. We have therefore stated that the condition of main roof areas should be reviewed in the year 2001 before considering re-slating, and also in the year 2006 before possible re-slating of the west building. These dates are provided for initial guidance only, and a degree of flexibility should be allowed in programming of the works.

Condition Survey and Maintenance Schedule
Of the Royal Court Building
Court Row
St Peter Port
Guernsey

For the States of Guernsey

Cresswell, Cuttle and Dyke
Trafalgar House
Petit Bouet
St Peter Port
GY1 2AY

Introduction

General

Cresswell, Cuttle and Dyke Ltd received instruction to carry out a condition survey at the Royal Court Building on behalf of the States of Guernsey, Board of Administration, (now the Treasury and Resources Department). The brief was to detail the condition of the property and to provide a maintenance schedule and cost estimate for years 1-5 inclusive and an outline for years 6-10 inclusive.

We note that the Condition Survey Report for the roof dated 2003 has examined the roof in greater detail than this report and consequently we have commented only on the areas of roof accessible from internal roofspace. The mechanical, electrical and other services items have been the subject of inspection by Amalgamated Facilities Managed Ltd as specialist engineers, and their findings are to be incorporated within the report.

The inspection has been carried out in all accessible areas over a number of visits during April and May 2004. The weather varied with each visit but we do not think this has had a significant implication on our findings and recommendations. It has been assumed that the main elevation of the building, i.e. the Rue du Manoir elevation, faces due east. All notes refer to this orientation.

Limitations of Inspection

Some elements of construction of the property have not been available for detailed inspection without opening up works. We cannot confirm, therefore, that these areas are completely free from defects. We have commented on their condition based solely on a visual inspection of their surrounds and experience of similar conditions. The main areas unavailable for inspection are:-

1. All foundations and structure below ground level
2. Ground floor construction
3. Upper floor construction
4. Chimney flues
5. Ventilation ducts
6. Timber staircase construction
7. Studwork partitions
8. Areas behind timber panelling and other wall linings

9. All voids behind suspended ceilings or battened ceiling constructions
10. Areas behind window shutters or secondary glazing
11. All voids, plinths, boxings etc including the lift shaft unless trapdoor access available
12. All cavity constructions including the older cavity wall in the Records office
13. There are a large number of built in timber members which have not been inspected. Experience would suggest that these timber members will have some form of defect to a greater or lesser degree. A programmed schedule of opening up works should be agreed with the building managers and appropriate preservation or replacement works instigated at that time. We are therefore unable to guarantee that these items are free from defect and are unable to accept any responsibility for their condition.

Hazardous and Deleterious Materials

Without the services of a suitably qualified professional to carry out testing and sampling procedures, it is impossible to be entirely specific about the presence or condition of deleterious or hazardous materials. We have, however, made comment in the appropriate part of the Condition Survey, when suspect materials have been found. We would recommend the encapsulation of any undisturbed areas of hazardous material. If the material is damaged or is to be disturbed in any way, the only option is to employ a specialist contractor to remove it in conjunction with the States of Guernsey Approved Code of Practice.

Means of Escape/ Fire Regulations

In order for the building to comply with the current Fire Regulations and Means of Escape Legislation, there must be an extensive programme of work over the next few years. This work will require the sympathetic treatment of many of the architectural features within the building. Much of this work will be concerned with compartmentalisation issues and travel distances. For instance, the whole of the roof void has no compartmentalisation and the travel distance from the rear of the Main Records Office to the open air is in excess of 40m. The recommendations for the building's Fire Strategy are outside the scope of this report, but it is recommended that an appropriately qualified Fire Engineer is employed to carry out a detailed fire upgrade works.

Summary and Recommendations

The building has generally been well constructed and maintained and is in sound structural condition. It has been constructed in the traditional methods of the period as consequently shows the inherent defects associated with its age. The obvious attention to maintenance has ensured that these defects are significantly less than other buildings of the period. The external envelope of the building, while generally structurally sound, will require fairly substantial works to ensure that it remains wind and water tight. The main areas of repairs are:-

1. The roof is showing signs of nail sickness and the lead details are in need of replacement. These items should be given priority and, budgets permitting, need to be replaced within the next five years, either as part of a rolling programme in sections, or as a single contract which will require the building to be decanted for the duration. It is envisioned that approximately 50% of the slate can be re-used and the estimates in the maintenance programme reflect this possible saving. Should the States of Guernsey decide that it is more prudent to provide completely new slates then the figures would increase by approximately 25%.
2. The stonework is generally in sound condition but the pointing should be raked out and replaced with a natural hydraulic lime based mortar. This will allow the building to remain waterproof and to allow the moisture already in the walls to percolate to the exterior. Some cleaning of the stonework can take place, if required, at the same time although could be deferred if funding is limited.
3. The external joinery, particularly the softwood windows would benefit from general upgrading servicing and repairs. We would recommend the services of a company such as Ventrolla who are specialists in the upgrade, weatherproofing and repair of sliding sash windows in a sympathetic manner. The maintenance programme includes for repairs and generally servicing of these components but does not reflect the additional cost of the upgrades. The full extent of the repair works is unlikely to be fully apparent until the joinery items are prepared for decoration.
4. Much of the cracking to the render details around the windows is caused by carbonation. The built-in metal security bars have eroded and expanded causing substantial cracking. As mentioned in the Condition Survey, consideration should be given to removing these bars and providing new galvanised security grilles, painted if required, fixed to the substrate with stainless steel fixings. The new grilles should be hingeable for cleaning and maintenance purposes.
5. The areas of glazed brickwork to the Greffe and strongroom are of raw appearance and while repainting will aid the performance of the element, consideration should be given to rendering or cladding these areas.
6. The north elevation of the Greffe is affected with substantial moisture ingress, and consideration should be given to repairing and rendering this area. There is evidence of vertical cracking between the stonework and the brickwork forming the flues and also an exposed beam shows signs of rusting.

The interior of the building is, again, in satisfactory condition. The main areas requiring further attention are:-

1. The condition of the timber members built into the external walls should be established by exposing the component ends and further survey. The solid wall construction will, by definition, contain a higher percentage of moisture than a cavity construction and therefore lintols, joist ends, trusses, fixings and the like are at increased risk of rot attack. Once exposed the components can be preserving

treated and the works made good. We would suggest that the basement store area should be the first area to be exposed as there are already signs of rot and damp penetration.

2. There are various areas of loose and hollow plasterwork, probably due to localised damp penetration. There may be some risk to joinery items, such as panelling, adjacent to these areas. Again we would suggest a programme of opening up works to check on the condition of concealed items. Hacking off and replacement of the plasterwork has been included in the maintenance schedules but with works of this nature the full extent of remedial work cannot be fully ascertained without intrusive measures. The estimates are based on likely costs based on previous experience.
3. The main Records Room is in particular need of upgrade and, understandably, the logistical task of undertaking major works has precluded much needed maintenance over the years. The programme has assumed that the whole of the room can be decanted and that a whole package of work can be carried out at the same time. The estimates reflect free, uninterrupted access and that the removal expense has been picked up by another budget. Works required include repairs to windows, tanking work, repairs and resealing of parquet floor covering, and full internal decoration. It is obvious that this work will require a major input in terms of planning and liaison.
4. The extensive areas of hardwood panelling and joinery items are fairly dull and subdued and will benefit from refinishing. Within the Royal Court much of the hardwood has been french polished and to return the room to an 'as new' condition will require specialist services. The decoration of the general areas will be carried out in a phased rolling programme as part of a parcel of the replastering works.
5. The 1982 and later portions of the building are in sound condition, but are in need of internal decoration to maintain the aesthetic appeal of the suites.

In conclusion, the building has been well built and maintained over the years but is now reaching a point where fairly major works are required to ensure that its condition does not decay exponentially. The proposed programme of maintenance, improvement and inspection works will ensure the building stays in a satisfactory condition. Whilst the maintenance schedule indicates the ideal programme for the works, it may be that some areas and elements perform significantly better or worse than expected and there should be some flexibility to account for this fact. However, it is fair to state that the lack of effective maintenance to the main building components may result in more significant future costs.



ROYAL COURT CONDITION SURVEY

SUMMARY OF BUILDING SERVICES

DRAINAGE UNDERGROUND

As detailed in the report attached, there are approximately 10No drain points that are effected by the following: -

Cracked pipes
Full of cement
Root ingress

Cracked pipes and cement filled pipes will require digging up and repairing, root ingress can be cut out in situ and relined.

Please review the attached video detailing these areas.

We would advise that the above areas be repaired as a matter of urgency as there is a high risk of drainage blocking and potential back flow.

MECHANICAL

Although the majority of the plant is in excess of 20 years old, it appears to be in operational order.

We would suggest that the various control panels located throughout the existing building are upgraded and linked to the new BMS of the extension, this will allow the entire building to be monitored.

Within the loft are 2No water tanks, these should be cleaned, chlorinated and insulated.

The main heating pump within the boiler room should be replaced as it is approx. 20 years old and should it fail, there would be no replacement pump of this size within the island. Should the pump fail then it could have repercussions within the Court rooms. We would suggest that the pump is replaced and spares are kept on site.

The external air conditioning units which are due to be moved to a future location are in poor condition and if moved to a location further than their present location, we feel that the duty and performance will decrease. We advise that the external units are replaced with new DX condensers and also the control panel be upgraded to accommodate the new outdoor units.

ELECTRICAL

Through out the building, there are very few emergency lights fitted. In the areas that are, they are of poor quality and not to current standards, we would advise that the emergency lights are upgraded and additional lights are installed to the Fire Officers requirements.

The main distribution switchgear is in good condition. All distribution boards are in good working order, however it must be noted that Federal Electric is no longer available. 'Federal Electric' distribution boards and components are **no longer available** and if a fault was to occur with any F/E component, the whole distribution board would need replacing. We would advise that these boards are replaced to allow for future expansion (extension) and as a matter of health and safety.

All offices at present are fitted with standard fluorescent lighting with prismatic diffusers. We advise that these be replaced with High Frequency Fluorescent Fittings with Category 2 Diffusers to conform with the latest lighting regulations and lux levels.

It has been noted that by modern standards there is a distinct lack of 13A socket outlets throughout the building, there are a number of extension leads running power to various points in the Court. We would advise that the leads be removed and additional 13A sockets are installed in place of.

Depending on future expansion/refurbishment the incoming main supply may need upgrading. This can only be determined when the scope of works has been defined.

If the MIC Cables are left untouched without any form of modification, their life span could exceed 20 years. Any form of modification, small or large, may result in irreparable damage.

FIRE AND SECURITY

Although operational the fire and security systems are obsolete and have not been regularly upgraded.

Within the new extension a new fire and security system has been approved and will link the existing building to the new extension.

We would advise that all fire and security devices are decommissioned and removed once the new installation has been installed.

(NB The Policy Council supports the proposals)

The States are asked to decide:-

V.- Whether, after consideration of the Report dated 21st March, 2005, of the Treasury and Resources Department, they are of the opinion:-

1. (a) To approve the major refurbishment of the Royal Court as set out in that Report at a total cost not exceeding £2,850,000.
- (b) To authorise the Treasury and Resources Department to approve the issue and acceptance of all tenders in connection with the project and to approve a capital vote, not exceeding £2,850,000 such sum to be charged to its capital allocation.
- (c) To authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to its capital allocation in respect of this project.
2. To note that it will be necessary for the States of Deliberation to convene for a number of sessions in 2006 in the larger of the two new court rooms whilst the proposed maintenance works are undertaken.
3. To note that the House Committee will bring forward in due course, in accordance with the States Resolutions of 17th May 2002, proposals for voting in the States of Deliberation to include provision for simultaneous electronic voting.
4. To direct the Treasury and Resources Department to maximise the value of the land parcels adjoining the Royal Court complex as set out in that Report.

COMMERCE AND EMPLOYMENT DEPARTMENT**GAS SAFETY**

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

26th January 2005

Dear Sir

Executive Summary

The combustion of gas produces carbon monoxide. Unlike the products of combustion of other fuels, this secondary gas is colourless and odourless and it can be a significant health risk.

There have been several incidents of carbon monoxide poisoning in recent years and investigation of these incidents has raised questions about the competence of persons carrying out gas installation work.

Gas installation training has been offered at the College of Further Education, but the uptake of such training has led the Department to conclude that it is necessary to switch from a voluntary regime to a system of mandatory registration for gas installers and the establishment of minimum standards for their work.

The Department also believes that it is necessary for the public gas supplier to have the right of entry to premises to render unsafe gas equipment safe. This right would be limited to clearly defined circumstances and would not be exercisable in respect of the suppliers commercial activities.

There would be no additional Departmental resources requirements, however, gas installers would have to meet the cost of training and the ongoing registration fee with the Council for Gas Installers in the UK. The fee would be used to finance the regular assessment of gas installers and the provision of technical advice and literature. The Council would also be a source of advice to the public.

The Department recommends the introduction of legislation to give effect to its proposals.

Gas Safety

Compared with the combustion of other fossil fuels, gas is the cleanest. However the use of gas carries with it the risk of the production of carbon monoxide if the combustion process is incomplete.

Carbon monoxide is a significant health risk, exposure to it at sufficient concentrations can be fatal and the fact that it is colourless and odourless enhances that risk. The correct installation and servicing of gas appliances is therefore essential.

The investigation of a number of carbon monoxide poisoning incidents in recent years brought into question the competence of some gas installers. As a result the former Board of Industry sponsored appropriate training at the College of Further Education that could be taken up on a voluntary basis.

It has become clear that not all gas installers have taken up that training and given the health risk that carbon monoxide poisoning represents, the Department believes that it is now necessary to require that all gas installers be registered with the Council for Registered Gas Installers in the UK in order to establish minimum standards for the work that they carry out on gas equipment.

The Council has agreed to extend its registration system to the Island (voluntary registration has been available from 1 January 2004) and the College of Further Education is in a position to provide the necessary training.

Proposed Legislation.

The Department proposes that a “gas safety” Ordinance should be made under the provisions of the Health and Safety at Work etc (Guernsey) Law, 1979 to provide for the following:

- i) the training, competence and registration of gas installers,
- ii) the prescription of minimum standards to be met by gas installers; and
- iii) emergency powers of entry onto premises for the public gas supplier.

Training, Competence and Registration

It is proposed that by a specified date (probably in 2006) all gas installers will have undergone accredited training, will have been assessed by the Council for Registered Gas Installers and have been registered by that organisation.

They will be regularly reassessed by Council inspectors to ensure that they retain the required level of competence and expertise. Failure to meet the ongoing standard could lead to a person being removed from the register and in such a case, under the provisions of the proposed gas safety ordinance, that person would no longer be able to continue to work on gas installations in the Island.

Minimum Standards

Minimum standards would be applied to gas installation work, including standards for materials, workmanship, emergency controls, metering arrangements and regulators. It is also proposed that the installation of certain types of gas appliances in certain areas would be prohibited. An example would be a prohibition on the installation of a gas appliance in a bathroom or shower unless it was a room-sealed unit.

The proposed ordinance would include provision for a gas installer to test appliances before they were released for use and to prevent the use of an appliance that such a person knew or suspected to be unsafe.

Landlords who provided gas equipment in rented accommodation would be required to ensure that the installation was safe and inspected at a prescribed frequency. Tenants would have the right to see records of inspections.

The Department intends to make available a Code of Practice to further amplify the standards specified in the proposed ordinance and a gas safety manual, adapted to suit the Island, will also be produced and made available to gas installers on completion of their training and registration with the Council of Registered Gas Installers.

Powers of Entry

The Department proposes that the public gas supplier should have powers of entry onto premises, only when a dangerous situation had been identified, in order to make such a situation safe or to discontinue or disconnect a gas supply.

There would be a right of appeal against a decision of the supplier to invoke its powers of entry and it would have to provide a written statement setting out the reasons why the power was to be used.

This power would not apply in the event that the supplier wished to discontinue the supply of gas to any premises for commercial reasons.

Resource Implications

The Department will be able to administer the provisions of the proposed ordinance with existing staff and within its existing budget.

Gas installers will have to meet the cost of training and the ongoing registration fee with the Council for Gas Installers in the UK.

Conclusions

The Department believes that in the interests of public safety, statutory measures relating to gas installation need to be introduced.

Recommendation

The Department recommends the States to approve the proposals for a “gas safety” ordinance in accordance with the principles set out in this report.

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

Yours faithfully,

Stuart Falla
Minister

(NB The Policy Council supports the proposals)

(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 26th January, 2005, of the Commerce and Employment Department, they are of the opinion:-

1. To enact legislation on gas safety in accordance with the principles set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

HOME DEPARTMENT

PAROLE REVIEW COMMITTEE

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

25th February 2005

Dear Sir

1. Executive Summary

The purpose of this report is to propose that Guernsey's current parole legislation – contained in the Parole Review Committee (Guernsey) Law 1989 and the Parole Review Committee Ordinance 1991, as amended, be replaced by legislation framed:

- to provide a parole regime for Guernsey which reflects contemporary objectives;
- to maintain public confidence in Guernsey's criminal justice system;
- to ensure that parole decisions are founded on statutorily authorised considerations and best practice, and are directed towards the most effective ways of enabling offenders, on release from prison, to lead useful and offending-free lives;
- to ensure that Guernsey's parole regime is broadly in line with that of England and Wales; and
- to reflect developments in recent court decisions in Guernsey and England and Wales.

The contemporary objectives of the parole regime are to ensure that where an offender is released on parole, his supervision balances the need to protect the public with reducing the likelihood of his re-offending, and assisting his resettlement into the community. Furthermore, the parole regime must

- provide clarity and certainty in determining how prison sentences are to be served;
- provide an effective system for recalling to prison an offender released on parole who fails to comply with the conditions of his supervision;

- ensure that the Parole Review Committee maintains its independence; and
- provide appropriate direction to the Parole Review Committee when considering applications for early release.

2. Background

Parole is a form of discretionary release from prison on license which includes a period of supervision in the community under conditions. It was introduced in Guernsey in early 1991, based on United Kingdom legislation, the Criminal Justice Act 1967, pursuant to a States resolution of 26th November 1986, following consideration of a report dated 16th October 1986 from the then Prison Board. The States resolved, *inter alia*;

- “1. *To accept the recommendations set out in that Report with regard to a Parole Scheme for Guernsey.*
2. *To request the States Prison Board to report back to the States in due course with detailed recommendations as regards:*
 - (a) *the constitution of the Parole Review Committee, and*
 - (b) *the provisions to be contained in the Ordinance to be made under the enabling Law designed to establish a Parole Scheme for Guernsey on the lines set out in that Report.”*

The legislative regime for parole is provided by the Parole Review Committee (Guernsey) Law 1989 ("the 1989 Law") and the Parole Review Committee Ordinance, 1991, as amended ("the 1991 Ordinance").

Since its establishment, the Parole Review Committee ("the Committee") has considered over 250 applications for early release on parole.

Following the Review of the Machinery of Government, political responsibility for parole policy was transferred from the Advisory and Finance Committee to the Home Department. The Department, in consultation with H.M. Procureur, the Chief Probation Officer, the Prison Governor and the Chairman of the Committee, has been reviewing the operation of parole, conscious of a significant disparity between the local regime and that operating in England and Wales. In Guernsey, a prisoner is eligible for parole after serving **one-third** of his sentence. In England and Wales, a prisoner must have served **one-half** of his sentence before becoming eligible for parole. Whilst parole had been introduced locally to ensure that a prisoner serving a long sentence in Guernsey would be afforded a similar opportunity for early release on licence as somebody serving a similar sentence in England and Wales, England and Wales' position in respect of when a prisoner became eligible for parole changed under the Criminal Justice Act 1991 (i.e. soon after parole was introduced locally) and is about to change again there, under the Criminal Justice Act 2003. Accordingly Guernsey has now

become and will, unless our parole system changes, remain considerably out of step with England and Wales.

The Department's concern about this disparity was accentuated because of the significant increase in the number of long-term non-local prisoners, sentenced here, but who, on release, were returning to live in the United Kingdom.

During the course of the Department's review, two prisoners applied for judicial review of decisions by the Committee not to release them early on licence. Their applications failed, but in his judgment the Bailiff expressed concern about the somewhat outdated legislative framework under which Guernsey's parole system operates, and in particular:

- (a) a lack of clarity within the legislation regarding the objectives of parole and the factors which the Committee should take into account when considering a prisoner's application for parole;
- (b) a want of legislative guidance to the Committee regarding how it should weigh the evidence presented to it by the prisoner and the various agencies working with the prisoner; and
- (c) the conditions which can be attached to a parole licence.

Further, in January 2005 the House of Lords, in *R v Parole Board, ex parte Smith* and *R v Parole Board ex parte West* has held that a prisoner who is recalled should be allowed an oral hearing against revocation of his licence. In light of this judgment the Department has been advised by H.M. Procureur that the parole legislation must make appropriate provision for a system which allows for oral hearings in certain circumstances.

3. Purpose of Parole

In essence the purposes of parole are nowadays:

- (a) to protect the public;
- (b) to prevent the offender from re-offending; and
- (c) to help the offender to resettle successfully into the community.

The Department fully supports this view, but as drafted, the 1989 Law provides only a limited basis for the Committee in considering applications for parole. Parole may only be granted to prisoners

"... on the grounds of their industry, good conduct, or likelihood of leading a good and useful life after release." (Section 2(a))

In other words, the purposes of public protection, prevention from re-offending, and help in resettlement, are not grounds for parole. This does not reflect contemporary objectives.

Further, the 1989 Law does not provide any statutory guidance for how the Committee should discharge its duties, that is what factors should the Committee take into account when considering an application. When parole was introduced it was regarded as a privilege, not a right. Its purpose was more about encouraging prisoners to serve their sentences without causing problems for the prison authorities, rather than focusing on supporting the offender to resettlement back into the community and remain offending-free.

4. The Position in England and Wales

The Department has looked closely at how parole has developed in England and Wales under the Criminal Justice Act 1991, and the direction it will take in April 2005 when related provisions are replaced under the Criminal Justice Act 2003.

The Criminal Justice Act 1991 introduced a parole system by which those offenders sentenced to **over 12 months but less than four years** became eligible for **automatic** conditional release. The Parole Board did not consider those applications for early release, and the licence conditions were determined by the probation service following an assessment of the offender's risk of re-offending. Offenders sentenced to **four years or more** are now eligible for **discretionary** conditional release after serving one half their sentence. Applications are considered by the Parole Board, which determines whether or not to release on licence, against release directions issued by the Home Secretary, which require the Parole Board to look at the offender's pattern and nature of offending and his efforts to address the causes of offending whilst in prison, the likelihood of his compliance with the licence conditions, and the suitability of the release plan. All prisoners released early on licence, regardless of whether their release was automatic or discretionary, are at the same risk of recall to prison if they fail to comply with the conditions of their release or re-offend in any way.

The approach in England and Wales recognises that, in many cases, a prison sentence does not need to be served in its entirety in prison. Indeed, save for the most dangerous offenders, the likelihood of re-offending can significantly be reduced when an offender serves part of his sentence under supervision in the community. There is a substantial body of evidence tending to show that a community-based sentence which carries a real risk of a return to custody if the release conditions are not adhered to is effective in both protecting the public and reducing re-offending.

The rationale behind the changes under the Criminal Justice Act 2003 is to provide clarity and certainty for victims of crime, for offenders, and for those working with offenders. Under its provisions, parole will move towards a largely automatic system of early release on licence will mean that, at the time of sentence, the victim, the offender, and those supervising the offender will know when the offender will be released. This will enable greater certainty in planning the offender's sentence, including the arrangements for release under supervision - for example, securing appropriate accommodation and employment, which research has shown are essential in reducing the risk of re-offending. On release, the conditions attached to the offender's licence

seek to help resettlement into the community whilst continuing to address the causes of offending. The offender remains at risk of recall to prison if he fails to comply with these conditions, which are rigorously enforced by the Probation Service. Further, the offender is made fully aware that, if recalled, he may have to serve the outstanding portion of his sentence in prison.

5. Proposals for Change

The Department has, in consultation with H.M. Procureur, the Chief Probation Officer, the Prison Governor and the Chairman of the Committee, considered a number of options to progress the changes that are necessary to ensure that parole achieves its objectives and, in particular, balances the needs of the victims of crime, the protection of the public, and the rehabilitation of the offender. It acknowledges that balancing these objectives is difficult, but firmly believes that achieving the right balance will benefit the community as a whole by reducing offending and its associated negative consequences and costs.

The Department believes that eligibility for early release on parole should move from **one-third** to **one-half** of an offender's sentence. It also believes that parole decisions should take into account the offence as well as the length of the sentence, as this would more closely reflect the need to balance the protection of the community with the need to prevent re-offending and to supervise the offender on release. It recommends that the legislation be drafted to provide for parole to evolve in light of changes within the criminal justice system both locally and in England and Wales. The Department, in so recommending to the States, is conscious of the differences between our small community and the mainland, and are presently of the opinion that Guernsey is better served by focusing on the offence rather than the length of sentence. However, the Department is also conscious of the benefit of considering how the parole regime in England and Wales develops under the 2003 Act, and also needs to undertake further research and consultation locally on Guernsey-specific issues.

The Department proposes that the 1989 Law should be replaced by a new enabling *Projet de Loi*, which will enable the States by Ordinance, and the Home Department by Regulation, respectively to erect and administer a parole regime which addresses the objectives of parole identified above, and which is responsive to changing patterns of crime and criminality, and which utilises evidence of best practice in ensuring that sentencing is effective.

The Department recognises that parole must provide certainty and clarity and be politically and publically acceptable and deliverable. Therefore, it proposes that the States should have the power, by Ordinance, on the recommendation of the Department, to prescribe the purposes of parole and to provide for the Committee to take into account, in granting, refusing or deferring an application for parole, such matters as the Department by Regulation may prescribe, and generally to empower the Committee to impose conditions on licences, and further to make provision for the constitution and operation of the Committee, including the terms and conditions for the appointment of the Chairman and Members, their level of remuneration, and the mechanism by which the Committee should report to the States on its work.

The Department believes that the procedure for implementation of parole, including the processing of applications, the matters to be taken into account in determining parole applications, that is the criteria against which an application for parole should be considered, and whether certain classes of prisoners should be granted automatic or discretionary parole, involving as they do issues which require the careful consideration on professional advice, should be determined by Departmental Regulations. In making such Regulations, the Department will have regard to the input of those experienced in the supervision and management of offenders, and will consult with other parties, as appropriate, including the judiciary.

6. Costs

The Department doubts whether the implementation of the revised parole scheme will require additional staff. In the short-term, the training costs for Parole Review Committee members may increase, but these costs can be met from within its existing budget.

7. Conclusion

In conclusion the Department recommends the States:

To approve the Department's proposals for replacing the parole legislation and establishing a revised parole regime, as detailed in this Report; and

To direct the preparation of such legislation as may be necessary to give effect to the foregoing.

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

Yours faithfully

M W Torode
Minister

(NB The Policy Council supports the proposals)

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

The States are asked to decide:-

VII.- Whether, after consideration of the Report dated 25th February, 2005, of the Home Department, they are of the opinion:-

1. To approve the enactment of replacement parole legislation and the establishment of a revised parole regime 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.

SOCIAL SECURITY DEPARTMENT

EXTENSION OF SUPPLEMENTARY BENEFIT TO INCLUDE PUBLIC ASSISTANCE CLAIMANTS

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

25th February 2005

Dear Sir

Executive summary

1. This report recommends an extension to the categories of persons who may claim benefit under the Supplementary Benefit Law, to include all persons who may currently be assisted under the Public Assistance Law. In the main, this means persons under 60 years of age who are capable of work but are either partly or wholly unemployed.
2. The Department acknowledges the excellent work that has been undertaken, entirely voluntarily and at no cost to the public purse, by the Parish Officials past and present involved in the administration of public assistance.
3. The Department explains in this report, however, why it considers that public assistance should be subsumed within supplementary benefit and why the administration of social assistance funded by the general taxpayer, not from Parish revenues, should move from the Douzaine Rooms to the Department's offices at Edward T Wheadon House.
4. The Department considers that its proposals are in the best interests of the customers involved, who in addition to having little or no financial resources often need assistance from agencies with which the Department has strong links and where contacts are more easily established during office hours.
5. Taking on the work currently undertaken free of charge by the Parishes and a planned extension and enhancement of that work has a resource implication. The Department will need a total of 3 additional staff, being two claims officers and an officer to undertake home visits to check the circumstances around the rent element of claims. The staffing cost, including social security contributions,

pension contributions, standby payments and call-out payments for emergency out of hours calls has been calculated at a maximum of £80,200 per year at the salary scales applicable as of the date of this report.

6. The Department considers that the extra resource costs are a well justified investment at a time when Guernsey is experiencing increased levels of unemployment. The investment will give improved customer service, more of the much needed one-to-one interviews about job finding initiatives and work-focussed training and better control of benefit expenditure.
7. Consultation with the Parishes has taken place. It is the near unanimous view of the currently serving Overseers and Procureurs that public assistance should be incorporated into the supplementary benefit system as the Department proposes. Differing views are found among the memberships of the Island Douzaine Council and the Parochial Outdoor Assistance Boards. The latter groups do wish to maintain the offices of Procureurs of the Poor for the continued disbursement of the several small parish funds for the poor, which are quite separate to the current general revenue funding of public assistance.
8. The Department recommends abolition of the Parochial Outdoor Assistance Boards as the functions of those boards will be substantially redundant. The Department proposes that the Procureurs of the Poor should report, instead, to their Douzaines.
9. The Department takes the opportunity of this proposed amendment to supplementary benefit legislation to propose a further number of generally minor amendments which are only indirectly connected with the main issue in this report. The most significant of these is a proposal to aggregate the resources of a homosexual couple, for the purposes of assessing entitlement to benefit, in the same way as the resources of a heterosexual couple are aggregated.
10. The Department recommends that the changes should take effect from 1 July 2005 or as soon as practicable thereafter.

Background

11. Although public assistance administered through the parish system was for centuries the principal source of social assistance, its relative importance in Guernsey's current social welfare coverage has become very small indeed. The current 153 claimants for public assistance and annual benefit expenditure of £0.5m should be considered in context of the 1,975 claimants and £10m budget of supplementary benefit and in the full context of the £122m (2004) of social security coverage that the Department administers for Guernsey and Alderney.
12. Public Assistance is a means-tested benefit, now financed entirely by General Revenue, not from parochial funds. Its funding, rates of benefit and benefit computation are nearly identical to those of supplementary benefit, which is

administered by the Social Security Department.

13. There remains a substantial infrastructure for the public assistance system, albeit wholly voluntary apart from two paid staff based at Edward T Wheadon House. This comprises ten Parochial Outdoor Assistance Boards, six Overseers of the Poor for the Parish of St Peter Port and two Procureurs of the Poor for each of the other nine Parishes. In those nine outer Parishes, public assistance is paid out on Thursday evenings at the Douzaine Rooms. In St Peter Port, the Overseers see their customers in office hours, mostly on Thursdays, at the Department's premises at Edward T Wheadon House. The Department considers that the infrastructure for public assistance as it exists today is disproportionate to the number of claimants that the system assists.

History of public assistance

14. It is worth revisiting the fascinating history of public assistance in order to understand the links between its current form and its origins. The following paragraphs rely on the research of local historian Mrs Gillian Lenfestey.
15. Prior to the Protestant Reformation of the 1560s, impoverished islanders were helped by religious associations, which relied on donations from parishioners. Relieving officers - Procureurs of the Poor - received and distributed income from legacies and other gifts left to the poor, as they still do today, together with the Overseers of the Poor for St Peter Port. The Royal Court restricted the poor to begging only in their own parish. 'Strangers' who begged were banished or whipped.
16. The English Poor Law of 1601 did not apply to Guernsey. However, in 1611 local Ordonnances were passed which allowed all church ministers and collectors to raise a tax from parishioners which they then distributed to the poor. Alms were also still collected at the church door.
17. In 1742, a House of Charity was founded in St Peter Port, funded by public subscription. Soon called the Town Hospital, it housed and provided work for the parish's 'deserving poor'. The other parishes established the Country Hospital about ten years later, where residents contributed to their upkeep by working in the fields, hence the term 'fieldwork'.
18. This situation continued throughout the nineteenth century and it was not until 1925 that the States assumed full responsibility for the Island's poor. A uniform system of accountancy was established with the creation of a Central Poor Law Board and ten Parochial Boards. Besides the administration of parish relief, the Central Board was responsible for the welfare of destitute non-locals. The 'stranger poor', as they were known, were usually repatriated.
19. The Public Assistance Authority was created in 1937 and comprised the Hospital Board, the Central Outdoor Assistance Board, the Parochial Boards, the Children

Board and the Stranger Poor Assistance Committee. From this point on, the term ‘outdoor’ assistance was used to differentiate it from the ‘indoor’ assistance given by the Town and Country Hospitals.

20. The 1940s and 1950s were a period of significant change. In 1948, the Country Hospital, which had served as an emergency hospital during the Occupation, was re-named the Castel Hospital and became the responsibility of the Board of Health. The Town Hospital became a geriatric home and finally closed in 1986. Between 1950 and 1957, amendments to the Public Assistance Law gave each of the outer parishes two Relieving Officials and introduced an appeals process.
21. From 1965, the States Insurance Authority’s new unemployment and sickness benefit schemes saw many people stop claiming public assistance. In 1970, the Children Board was established as a committee in its own right.
22. The Supplementary Benefit (Guernsey) Law, which came into force in 1971, was the latest iteration of a non-contributory pension scheme which had existed, in various forms, since 1925. Supplementary benefit offered means-tested assistance to specific classes of people, including single parents, the disabled, women over 60, men over 65 and the long-term sick. From 1988, as a result of the recommendations emanating from the Peat Marwick Report (see below), supplementary benefit coverage was further extended to include men over 60, male single parents and the short-term sick. Of these new supplementary benefit classifications, the inclusion of the short-term sick was the most significant in reducing the numbers of people assisted by the parishes. In effect, it left the customer base for parish welfare reduced to only unemployed people under the age of 60 who are not entitled to unemployment benefit or who need a top-up of unemployment benefit. Public assistance also helps a further small category of people who have some employment but have very low wages and require a top-up to reach subsistence levels.

Public assistance today

23. Public assistance remains a means-tested, non-contributory benefit funded by the taxpayer out of general revenue. It is intended to meet the short-term needs of Guernsey residents between school-leaving age and 60 who can demonstrate that they are actively seeking work. A team of Relieving Officials, called ‘Overseers of the Poor’ in St Peter Port and ‘Procureurs of the Poor’ in the other parishes, pays benefit in accordance with the 1937 Public Assistance Law, as amended, and associated Regulations.
24. Each of the nine outer parishes has two Procureurs, both of whom serve for two years. Their terms of office are staggered so that one Procureur is always the more experienced. In St Peter Port, a team of six Overseers operate along similar lines. Claimants in the outer parishes see the Procureurs every Thursday evening at the relevant Douzaine Room. The Overseers see St Peter Port claimants at the Social Security offices at Edward T Wheadon House between

09.00 and 15.00 on Thursdays, and also on Friday afternoons. Relieving Officials are technically on call 24 hours a day in case they are needed to make an emergency payment. In practice, callouts are very rare.

25. The Social Security Department currently employs two civil servants to staff its public assistance section at Edward T Wheadon House, providing a back office service to the Relieving Officials who interview the public assistance claimants. On days when the St Peter Port Overseers are working from Edward T Wheadon House, the two full-time public assistance staff are further assisted by a member of the supplementary benefit section.
26. The employed staff for public assistance are responsible for co-ordinating the public assistance scheme, including the payment of benefit as determined by the Relieving Officials, making arrangements for the repatriation of non-locals, paying for the burial of unidentified persons and covering certain medical and para-medical expenses for the public assistance claimants.
27. As of 11 February 2005, there were 153 people claiming public assistance, spread unevenly across the Island. St Peter Port had 75 claims, while the smaller country Parishes have just one or two each. Castel, St Sampson, Vale and St Martin had 54 claims between them.
28. Currently, more than 40% of the people claiming public assistance are teenagers, with a poor employment history. The age and gender breakdown is shown below:

Age distribution of public assistance claimants in week of 11-02-05			
	Male	Female	Total
Under 18	14	19	33
18 to 20	19	13	32
21 to 39	31	3	34
30 and over	34	20	54
	98	55	153

29. This is a different claimant profile for public assistance system from that of 10 years ago, or even just one year ago. The trend has been towards an increasing proportion of teenage claimants or claimants in their early twenties. This has been predominantly male claimants, but over the last year the number of female claimants in those younger age groups has increased to equal the number of males.

The case for change

30. Since the restructuring of the machinery of Government in May 2004, supplementary benefit and public assistance have both become the responsibility of the Social Security Department. This immediately poses the question as to

why there should be a separation between two schemes that are so similar. They have much the same rules and pay identical rates of means-tested benefit.

31. Amalgamation of the two schemes has been suggested or alluded to by specialist bodies on at least three occasions over the last twenty years.

Peat Marwick report

32. In 1986, the States commissioned a report on the provision of medical care and social benefits from Management Consultants Peat Marwick. The Report's authors went on to consider, among other things, whether the general administration of benefits could be improved by rationalising Guernsey's two non-contributory social assistance schemes.
33. Published as an appendix to Billet XV 1987, the Peat Marwick Report grouped Guernsey's low income population into six specific categories: the handicapped, the sick, the unemployed, single parents, persons over 60, and persons with a low earning capacity. For the sake of '*consistency and administrative efficiency*', and with the intention of establishing clearer boundaries between public assistance and supplementary benefit, it was recommended that the latter scheme be expanded to include four of the six social groups. These proposed changes took effect in 1988, leaving public assistance with a narrowed responsibility for low-earners and the unemployed.
34. Concluding its assessment of the two schemes, the Report advised the States to consider '*the advantages and disadvantages of the additional role of public assistance... in relation to a scheme that would administer the payment of benefit from a central body and a single law.*'

Townsend Centre report

35. In July 2002, David Gordon - Professor of Social Justice at the University of Bristol - delivered a report suggesting a raft of local anti-poverty measures which could be considered for Guernsey. The report made reference to a number of international treaties and covenants which, although ratified by the UK Government, could, he argued, be said to have moral or legal force in Guernsey. According to Professor Gordon, the treaties enshrined in law the right of every adult and child in the Island to minimum standards of social security. He went on to say that while

'...there is little doubt that Guernsey largely meets these minimum standards, the continued provision of welfare via the Public Assistance system is rather anomalous in a modern welfare state, given its origins. The stigma still associated with public assistance might be considered detrimental to the fulfilment of welfare rights. It should not be the responsibility of unpaid volunteers to deliver these welfare rights – this is unfair on both the volunteers [and] on the benefit claimants...'

36. Professor Gordon commented further that

'the Public Assistance system in Guernsey should be abolished as it is an inappropriate, inefficient and ineffective means of eradicating poverty.'

Review of machinery of government report

37. In May 2003, in its report on the review of the machinery of government (Billet d'Etat VII of 2003), the Advisory and Finance Committee proposed a new Social Security Department - one that would have responsibilities for the Public Assistance Authority and the Parochial Outdoor Assistance Boards.
38. In its report to the States, the Committee was careful to point out that *'no decisions have yet been reached on whether or not the existing functions or mechanisms for delivering public assistance should be changed'*, but it was nonetheless *'persuaded to the view that the current mechanisms are no longer appropriate in today's social climate.'*

Observations of Social Security Department

39. Having considered the current administration of public assistance and having consulted with the Parishes, the Department has concluded that there is a strong case for incorporating the public assistance claimants within the supplementary benefit scheme by an extension of the categories of persons to whom the Supplementary Benefit Law applies.
40. The supplementary benefit law currently applies to people who are ordinarily resident in Guernsey and Alderney and whose circumstances fit one of nine classifications. Those classifications are broadly described below:
1. Substantially handicapped by physical or mental infirmity;
 2. Unable to work through sickness or injury;
 3. Aged 60 or over;
 4. Incapable of self-support;
 5. Single parent;
 6. Pregnant and not living with spouse or partner;
 7. Spouse of prisoner with children;
 8. Man caring for children while wife is in hospital;
 9. Person having ceased work to care for spouse or partner.

41. The Department recommends adding a tenth classification on the lines of:

'a person who is unemployed and actively seeking employment'.

42. The addition of the new classification is intended to allow all persons who would currently be able to claim public assistance to make claims under the supplementary benefit law. It would include unemployed people who may be receiving contributory unemployment benefit, but needed a top-up, as well as people who are not entitled to unemployment benefit, people who are receiving a partial unemployment benefit and people whose entitlement to unemployment benefit has been exhausted.
43. The Department acknowledges the requirement for the legislation to cover persons who have found work but will not be paid during the benefit week. These people would, in the legislation, be deemed to be unemployed for the purposes of supplementary benefit. The Department also acknowledges the requirement for the legislation to cover persons who are in work and working to the best of their abilities but receiving very low wages. The Department will, where appropriate, allow supplementary benefit to be claimed by such persons under the classification of being incapable of self-support. The Department will not, however, allow the system to be used as a subsidy for inadequate rates of pay.

Advantages of a single benefit system

44. Making all claims at Edward T Wheadon House would remove the need to claim benefit from the Douzaine Room at a particular time and day of the week. While views differ as to whether this is a significant issue, the Department thinks that it does cause embarrassment to the people needing help, as it obvious to onlookers why the person is there. Attendance at Edward T Wheadon House can be for obtaining a social security number for work, paying an account, notifying a change of address and many reasons other than claiming a benefit.
45. For understandable reasons, payment errors occur when a fairly complicated benefit calculation takes place in the evening at the Douzaine Room, without the support of the Social Security staff, nor the benefit computer programs. The claims and payment records of the Procureurs are delivered to Edward T Wheadon House on the following morning for input to the central computer records.
46. With everything coming under supplementary benefit, the number of overpayments and underpayments which have arisen as described would immediately reduce to near zero. Every claim would be built and rated on computer, thereby enforcing consistency and accuracy of benefit calculation. Staff would also use the computer database to confirm, in an instant, whether an applicant is in receipt of, or has applied for, any other social security benefits, such as sickness or unemployment benefit. Daytime claim-taking would allow the Department's staff to contact employers, landlords, health professionals and so on. If a claimant was unable to provide documentation to verify his circumstances he would be asked to call back later that day or the next day – an

option not generally available under current parochial arrangements where the Relieving Officials work within two-hour payout windows.

47. The supplementary benefit and public assistance systems currently both suffer from claimants repeatedly moving from one benefit to the other. Often, the movement coincides with efforts being made by one of the administrations to help the customer take up an employment opportunity or training. Such an offer will sometimes result in a sick-note being obtained from the claimant's doctor. This moves the claim type from public assistance to supplementary benefit. When the term of the medical certificate expires, unless it is extended the claim reverts to a public assistance claim. In a sample period of six months, 36 people under the age of 21 were found to have moved from supplementary benefit to public assistance, or vice versa, at least 3 times. In other words, there were well over 100 claim movements in just six months from this client group, before taking into account those that moved just once or twice in the six months.
48. If all claims were to be made under the supplementary benefit legislation, this administratively burdensome oscillation between the two systems would cease. There would remain a need for updating of records in relation to such facts as the issuing of a sick-note, but the underlying supplementary benefit claim could remain open.

Safety and security

49. The Procureurs are physically isolated in the Douzaine rooms on Thursday evenings. This puts them - and their claimants - at risk. Some Procureurs have admitted giving money to threatening claimants rather than face the consequences of turning them away.
50. Regrettably, the Department's staff also encounter threatening behaviour. However, Edward T Wheadon House has security both in terms of the layout of the building and, importantly, the presence of Special Constables and proximity of the Police Station.

Prevention of fraud

51. If a claimant deliberately fails to declare a source of income he is likely to receive an overpayment of benefit. The Procureurs cannot, from the parishes, link up with the Social Security computer system to verify whether a claimant is in receipt of another benefit. Similarly, unless particular employers can be contacted in the evening, Procureurs cannot confirm a person's wages or find out why they were dismissed from employment. Some regular claimants know that the Procureurs have limited access to information and take advantage of the situation – in the same way, they will play Procureurs off against each other and change their story to suit particular parishes.
52. In the extended supplementary benefit system, all confidential information

would be stored in one place and not dispersed between the Department and the Douzaine Rooms as it is now.

Discretion in public assistance payments

53. Relieving Officials can and do adjust a person's benefit in response to the particulars of the case. Benefit is more likely to be reduced than increased, as reductions are seen as an effective way of encouraging long-term claimants into work. Unfortunately, such reductions are applied inconsistently. The point at which a claimant becomes long-term, the amount of effort he is expected to make to find work, the way in which that effort is measured and the amount by which his benefit is reduced all differ from parish to parish depending on the way in which the Relieving Official chooses to exercise his discretionary powers.
54. The reliance on discretionary adjustments, exercised across 10 different parishes, is very vulnerable to inconsistency of both policy and individual determinations of benefit. It is clearly wrong that two claimants in identical circumstances could be treated differently for benefit purposes within the small Island of Guernsey, just because they live on opposite sides of a parochial boundary.

Replacement of discretion with penalties for failure to act

55. The discretionary adjustments to public assistance payments, which the Relieving Officials currently apply to claims would cease once the claims were incorporated within supplementary benefit. Clearly, however, the availability of some sanctions would be necessary to apply to people receiving supplementary benefit under the new classification of a person seeking work if evidence pointed to the contrary.
56. The Department recommends that penalties be provided under supplementary benefit legislation, enabling the Administrator to impose a reduction of benefit or disqualification, or a combination of both, for a period not exceeding 10 weeks if he considers that the person who claims to be actively seeking work:
 1. lost his employment through misconduct or left his employment voluntarily without just cause; or
 2. refused to apply for, failed to accept, or neglected to avail himself of, an opportunity of suitable employment; or
 3. refused to comply with recommendations intended at assisting him to find suitable employment; or
 4. refused or failed to avail himself of the opportunity of suitable training for employment.

57. The above provisions mirror those which appear in the social insurance legislation relating to unemployment benefit and which the Department has more than 30 years experience of administering. The Department acknowledges, however, that there has to be differences in the way that these similarly worded sanctions are applied under the supplementary benefit legislation, when supplementary benefit replaces public assistance as the benefit of last resort. For example, the application of the proposed maximum disqualification period, while not unusual for contributory unemployment benefit, is expected to be rarely applied under supplementary benefit. Much shorter disqualification will apply in cases where circumstances call for such action. Additionally, the Administrator, when considering reductions or disqualifications, will be mindful of the needs of any dependants of the claimant. At the same time, an obligation should be placed on adult dependants to improve the circumstances of the household, where practicable, by also seeking employment.

Back to work initiatives

58. Over the last year, the Department has made considerable progress with initiatives aimed at helping people on benefit return to work or find work for the first time. Such initiatives, which will form an increasingly important part of the wider social security scheme, are particularly relevant to the group of people who are currently claiming public assistance.
59. Primarily, the back-to-work initiatives have been enabled through an amendment to the Social Insurance Law and are focussed on persons receiving contributory unemployment benefit or invalidity benefit for long-term sickness. The initiatives include:
- short-term training
 - basic skills training
 - work trial
 - gradual return to work
 - back to work bonus
 - job-start expenses.
60. All of the above initiatives require intensive one-to-one discussions between the person seeking work and a skilled officer of the Department. None of the initiatives can be applied in general. The successes are hard earned from both sides, but very worthwhile and sometimes life-changing.
61. The Department is building up valuable experience in the above areas and looks forward to applying this experience for the benefit of the people currently claiming public assistance. Subject to the States approving the staffing

requirement, which is an integral part of these proposals, the Department will be able to give more time to these essential job-focussed interviews than can currently be provided by the Procureurs and Overseers.

62. The Education Department, through the College of Further Education, is a key partner in the provision of appropriate training. An excellent working rapport has been established between the Departments. The Social Security Department acknowledges and is most grateful for the very co-operative approach of the College.

Community and Environmental Projects Scheme (CEPS)

63. From January 2004, responsibility for the fieldwork scheme transferred from the Board of Industry to the Guernsey Social Security Authority. The Department is developing the scheme under its new heading of Community and Environmental Project Scheme and has forged an excellent partnership with the States Works Department, which provides, under contract, work and the necessary supervision for the project teams. Having responsibility for the scheme gives the Department direct control for both the provision of short-term employment opportunities and the selection of male and female candidates for placement.

Staffing implications

64. While the Department is convinced that the extension of supplementary benefit to include the public assistance claimants is the right thing to do and, indeed probably overdue, it regrets that this cannot be achieved without the appointment of 3 additional members of staff to the supplementary benefit section. The following paragraphs explain how this has been quantified.
65. The Department knows full well that public assistance claims are what may be termed high maintenance. Circumstances including earnings and accommodation are likely to be changing very frequently. As is currently the case with a small proportion of the supplementary benefit claimants whose circumstances are similarly unstable, nearly all of the new classification of what were public assistance claimants would need to be seen weekly at Wheadon House in order to record material changes in their circumstances, to reassess benefit where necessary and to pay benefit.
66. In order to keep to a minimum the waiting times at Wheadon House, which for years have been a cause of complaint about public assistance administered there by the St Peter Port Overseers, claimants, at the time of calling in for their benefit would not be expected to describe the efforts they had made to find work. Instead, job-focused interviews would be scheduled, away from payment days, which are expected normally to be Wednesdays and Thursdays. The frequency of the job-focussed interviews would be determined on a case-by-case basis, but as a general rule, unless a claimant is working, they would take place once a fortnight.

67. There are currently two members of staff employed by the Department to provide the back-office service to the Relieving Officials. For the St Peter Port Overseers, who see approximately half of the public assistance claimants, the permanent staff provide an immediate service in response to the information which the Overseers are obtaining from claimants, by entering the claims into the Department's computer system and producing cheques for immediate issue to the claimants. For the other half of the public assistance claimants, seen on Thursday evenings in the outer parishes, the permanent staff do the computer entry work retrospectively, having received the documentation in paper form on the following morning. The permanent staff also provide information to customers in office hours about how to claim public assistance.
68. If the Department's proposals are approved and the Relieving Officials are no longer involved, there will be no additional work in respect of building the claims onto the computer system and maintaining the details, as that service is already being fully supplied. The additional work will come through the interviewing of claimants in respect of new and ongoing claims and job-focussed interviews
69. On average, 20% of public assistance claims in any week are new and 80% are ongoing. The latter type would involve job-focused interviews. The taking of a new claim takes approximately 30 minutes, so it would have taken civil servants 16 hours to process the 32 new claims taken during week-ending 11 February 2004. The 121 ongoing claims would require the claimants to be seen, briefly questioned about changes in circumstances and paid. This process would take approximately 15 minutes per claimant, amounting to 30 hours per week. There would also be the job-focussed interviews which, if undertaken fortnightly (i.e. half of the 121) and lasting 30 minutes each, would amount to a further 30 hours work. These three work activities amount to 76 hours per week, before allowing for any inefficiencies from such things as failed appointments or information from employers, landlords and so on not being instantly available.
70. The contracted civil service week of 36 hours is, over the year, effectively reduced by approximately 3.5 hours per week through leave and bank holidays, without taking into account any sickness absence. The additional 76 hours of work, quantified in the above paragraph all involves direct contact with the customer, so cannot be served through overtime. The Department, therefore, considers that the case for two additional claims officers is very strong.

Extra visiting officer for rent allowances

71. A person renting a property who makes a claim to supplementary benefit is given a notional rent allowance until a Visiting Officer can assess their property and recommend an appropriate figure based on observation of the accommodation. Home visits also allow the Department to confirm that claimants are living at their declared address, and that they are not sharing their

property with someone whom they have not declared on their claim form.

72. Because public assistance has been seen as short-term, Relieving Officials have determined claims, including rent allowances, without anyone having seen the property for which the allowance is claimed and paid. Now, largely due to a five-year increase in teenage claimants, the average length of a public assistance claim is six weeks. Clearly, with that being the average, some claims are of considerably longer duration. The Department considers that home visits should be undertaken for all claims that include a claim for a rent allowance. An additional member of the Visiting Officer section would be necessary to accommodate the extra 25 home visits per week and the subsequent brief report and recommendation on an appropriate rent allowance.

Out-of-hours emergency payments

73. Much of the discussion that the Department has had with the Parishes concerning the takeover of public assistance has centred on the provision of assistance outside normal office hours, which they consider an essential service.
74. Figures obtained from the parishes suggest that the frequency of out-of-hours payments is low. Of the 4,689 outer parish claims processed between November 2003 and October 2004, only 38 (less than 1%) were made outside of normal Thursday evening payouts. Even then, most of these could have been taken during normal office hours. True emergency claims, those made by people who would otherwise have no money and cannot secure help from family or friends, over a weekend say, are few and far between. The St Peter Port Overseers, who work from the Social Security offices and who are responsible for over half of the Island's public assistance claimants, have made only five such payments in the last three years.
75. The Department accepts that the claim statistics that it has been given in this area will be in relation to actual payouts and the frequency of emergency call-outs would be higher if calls which did not result in a payout were also included.
76. Over the months in which discussions with the Parishes have been taking place, the consensus on how out-of-hours payments should be accommodated in the new arrangements has changed. The preliminary view of the Parishes that this was a service that they would be willing to continue to provide through the Relieving Officials has changed. Their current view is that if the Department is to take over the main body of public assistance claims and payments, the Department should provide the out-of-hours service as well.
77. Accordingly, the Department will undertake the out-of-hours service. This will entail the payment of standby allowances amounting to approximately £2,600 per annum. A further £1,400 has been estimated as remuneration for call-out payments. This means an estimated cost of £4,000 per year for the provision of the out-of-hours service.

Summary and cost of extra staff requirement

78. The Department's proposed extra staffing requirement would be 2 clerical officers at public sector salary grade AA2 (range £18,624 to £21,259) and one visiting officer at grade EGI (range £22,562 to £24,402). Taking the top end of the salary scales to show the worst position for expenditure and including social insurance and superannuation, the additional revenue cost would be a maximum of £76,200 per annum at 2004 salary scales. Adding the out-of-hours cost of £4,000 per year, the annual revenue costs at current salary scales is £80,200.
79. The Department would not be requesting any additional staff unless it considered it truly essential. The Department is proud of its compliance with the States Staff Number Limitation Policy, to which it has adhered as closely as any other States Department. Apart from the recent transfer of the post and responsibility for the Community and Environmental Projects (formerly fieldwork) the Department has not increased its establishment over the last ten years, despite having introduced new and extended benefits.
80. There is no spare capacity within the existing supplementary benefit establishment to absorb this additional work. The section is already overstretched by a massive and unrelenting workload. While this workload is seldom cited as the principal reason for staff leaving the section, exit interviews conducted by the Human Resources Unit of the Policy Council invariably draw attention to it.

Impact on supplementary benefit expenditure

81. Public Assistance expenditure has increased from £125,000 p.a. to £530,000 per annum over the last five years. While these figures in part reflect changes in the labour market, the additional number of claimants cannot solely be ascribed to increased levels of unemployment and inadequacies in the current system are probably of significance.
82. The Department believes that tighter internal controls, integrated and unified policy, targeted back-to-work initiatives and a greater emphasis on consistency would apply a downward pressure on the number of claimants. To be specific, computer ratings would protect against overpayment errors experienced in the manual systems of the outer parishes; a team of staff fully-versed in the relevant policy and legislation would ensure that claimants were treated consistently and fairly and having all claims grouped within supplementary benefit would eliminate the inter-benefit shuttling that currently makes it difficult to steer claimants back into work.
83. However, if there is currently a reluctance among the community to claim benefit at the Parish Douzaine, the move to Edward T Wheadon House may possibly result in an uptake of benefit claimants. If so, the additional benefit

expenditure may reduce or outweigh the savings achieved from efficiencies and closer control. This is an area of uncertainty, but one thing that the Department, and no doubt all States members, are quite clear on is that take-up of any of the Island's social security benefits should not be suppressed below its true level by reason of reluctance to claim.

Impact on Alderney

84. The supplementary benefit legislation applies to Alderney as it does to Guernsey. The public assistance legislation does not apply in Alderney. Instead, the States of Alderney administers on a very small scale a scheme of non-statutory social assistance. There are currently just two persons receiving weekly assistance in this form. The proposed extension of the coverage of the supplementary benefit legislation will apply to Alderney and will cover the two persons currently being assisted through the Alderney States Office and persons in similar circumstances.

Amendments to legislation

85. In order to give effect to the Department's proposals, amendments to the public assistance and supplementary benefit legislation will be required.

Public assistance legislation

86. As regards the public assistance legislation, the responsibilities of the former Public Assistance Authority have, by Transfer of Functions Ordinance, already been transferred to the Social Security Department. Under the proposed new arrangements, there would no longer be any substantial function for the Parochial Outdoor Assistance Boards and the Department recommends, therefore, that the provisions relating to the Boards' constitution and functions be repealed. It should be noted that the constitutions of the Parochial Outdoor Assistance Boards, in addition to including a combination of Procureurs, Overseers and Senior Constables, also include four members elected by the States of Deliberation. One of the States-elected members of each Board is required to retire each year but may seek re-election. Adding to the elections of Presidents of the Parochial Outdoor Assistance Boards and the elections which become necessary for other reasons such as permanent retirements, the constitution of the Boards involves electoral processes which may not be justified if the mandate is reduced only to receiving a report from the Procureurs of the Parish on the disbursement of parochial funds for the poor. This is why the Department proposes the abolition of the Parochial Outdoor Assistance Boards.
87. The Department's proposals will leave the Public Assistance Law largely redundant, but still containing powers for the Social Security Department to make occasional one-off payments typical of a benefit of last resort, including, for example, repatriation of non-locals who wish to leave the Island but have no

means to do so. Routine weekly benefit payments, however, would all be accommodated under the Supplementary Benefit Law. Further in the future, the likelihood is that the remaining useful provisions of the Public Assistance Law would be incorporated into other social security legislation, thereby allowing the Public Assistance Law to be fully repealed.

Impact on office of Overseers and Procureurs of the Poor

88. The Department's proposals will remove from the Overseers and Procureurs of the Poor all disbursement of welfare funds which are financed from general Revenue. The office of Overseer of the Poor for the Parish of St Peter Port will become wholly redundant and, consequently, the Department will recommend its abolition.
89. The offices of Procureurs of the Poor in the nine other Parishes will reduce to the disbursement of small Parish-based funds for '*les Pauvres*'. The Department has heard different opinions among the Parishes as to whether the office of Procureur should continue for this reduced function. There is certainly a body of opinion that the title 'Procureur of the Poor' is demeaning to customers and should, if nothing else, be changed.
90. The unique position of the Procureur of the Poor for St Peter Port is noted. This is an office quite separate to that of the Overseers and the Procureur is very active in assisting residents of St Peter Port from funds which are not provided from General Revenue and are mostly charitable donations from businesses or individuals. As the activities of the Procureur of the Poor for St Peter Port are unconnected with the distribution of public assistance, none of the proposals in this report are intended to impact on him.
91. Although it is probably finely balanced, the Department considers that the majority wish of the Parishes is for the offices of Procureur of the Poor to continue in all Parishes, even if they are no longer to pay public assistance. Accordingly, the Department will not be recommending the abolition of those offices of Procureurs of the Poor that are given effect by the Public Assistance Law, nor making any recommendations in respect of other offices of Procureur of the Poor which are understood to be customary offices.
92. The Overseers and Procureurs currently report on their activities to their respective Parochial Outdoor Assistance Board. If, as proposed, those Boards and the Overseers are abolished, there will need to be a replacement reporting route for the single St Peter Port Procureur and the two Procureurs for each of the other nine Parishes. While this will be a matter for the Parishes, the Department would expect that all of the Procureurs would in future report to their respective Douzaines.

Supplementary benefit legislation

93. As regards supplementary benefit legislation, and as described in paragraphs 40 to 43 of this report, the Department proposes adding to the current nine classifications of persons to whom the Supplementary Benefit Law applies a tenth classification to cover those persons who would currently be able to claim public assistance. The Department also proposes the inclusion of disqualifying provisions as described in paragraphs 55 to 57 of this report. The Law Officers of the Crown have advised that all the proposed changes are within the scope of the powers conferred by the Supplementary Benefit (Guernsey) Law, 1971, and can be implemented by Ordinance of the States.

Additional amendments to supplementary benefit legislation

94. The Department has identified a number of amendments to the supplementary benefit legislation which are only indirectly related to the take-on of public assistance claimants. This States report, however, gives an opportunity to seek the approval of the States for the proposed amendments.

Treatment of same-sex relationships for assessment of benefit

95. Couples in both male and female homosexual relationships currently have an unfair advantage under the supplementary benefit legislation over couples in heterosexual relationships. Numerically, this is a very small issue, but there are occasional cases where the unfairness of the present situation is very apparent and the Department considers that it should be addressed through amendment to the legislation.
96. The issue appears both in the classifications of persons to whom the Supplementary Benefit Law applies and in the detailed procedures on how benefit is to be calculated. For example the wording on how a couple's resources are to be assessed reads:

'Where a husband and wife are members of the same household their requirements and resources shall be aggregated and similarly as regards two persons cohabiting as man and wife.'

(Para. 2 First Schedule to the Supplementary Benefit (Implementation) Ordinance, 1971, as amended.)

97. The effect of the above provision is that the resources of a heterosexual couple are to be aggregated, but the resources of a homosexual couple are not. On rare occasions, this leads to supplementary benefit being paid to a person who classifies by being incapable of work or a single parent, but who has a same sex partner in paid employment.

98. The Department recommends amending the supplementary benefit legislation so that cohabitation in a same sex relationship has the same effect for classification as a person to whom the Law applies and for the assessment of benefit as cohabitation in a heterosexual relationship equivalent to that of man and wife.

Minor amendments to wording of classifications for supplementary benefit

99. The Department proposes that the classification for supplementary benefit of a person who has reached 60 years of age should be amended to having reached pensionable age (65). This is made possible by the inclusion of the proposed new classification of persons actively seeking work and this particular amendment will mean that people claiming supplementary benefit between the ages of 60 and 65 will also be expected to be seeking work unless they classify for other reasons, such as being incapable of work or incapable of self-support.
100. With regard to the classification on grounds of being incapable of self-support, this is currently qualified with the phrase 'by reason of physical or mental infirmity'. The Department considers that this phrase is unnecessarily limiting and should be deleted.
101. The Department proposes deletion of the condition of being over school leaving age for the classifications applicable to single parents or to a pregnant woman. There is a very occasional need to give assistance to child mothers, which the wording currently prevents. The restriction has been overcome in the past by a claim being made for public assistance.
102. The classification on grounds of being incapable of work contains the word 'temporarily' which is redundant and which the Department proposes be repealed. The wording has survived from a time when the short-term sick were assisted under public assistance, not supplementary benefit.
103. The last of these proposed minor amendments refers to the classification of a man who has ceased employment to care for children due to his wife being in hospital. This seldom used classification is clearly not gender neutral, nor does it recognise common-law and same-sex relationships. The Department recommends amendment to address these matters.

Consultation

104. The Department is very aware of the sensitivities that surround a proposed disturbance of parochial administration, particularly one of such long-standing as public assistance. The Department and its predecessor Guernsey Social Security Authority have made their best efforts to consult with appropriate Parish bodies over these proposals. Along the way, the Department has honoured its undertaking that proposals would be provided in confidence to the Parishes before being submitted to the Policy Council. A list of meetings, showing the extent of the consultation follows:

- 2 February 2004 - Guernsey Social Security Authority and Public Assistance Authority; general discussion of options
- 7 July 2004 - Social Security Department and Presidents of Parochial Outdoor Assistance Boards; general discussion of options
- 22 July 2004 - Social Security Department and Overseers and Procureurs of the Poor; general discussion of options
- 18 January 2005 - Social Security Department and Overseers and Procureurs of the Poor; discussion of first draft report
- 19 January 2005 - Social Security Department and Presidents of Parochial Outdoor Assistance; discussion of first draft report
- 31 January 2005 - Social Security Department and Island Douzaine Council; discussion of first draft report

Conclusion

105. The Department, now having overall responsibility for public assistance as well as supplementary benefit, considers that those two very similar benefit schemes should be unified by a simple extension of the supplementary benefit coverage to include the current public assistance customers.
106. The Department can make an objective comparison of the delivery of public assistance, currently involving 153 claims and an annual budget of £0.5m, with that of supplementary benefit, which has nearly 2,000 claimants and a budget of £10m. Both benefits are means-tested and over recent years the rates of benefit and various allowances and rules have been brought so closely together as to now be nearly identical. The only real difference is the customer base. Supplementary benefit can take claims from all low income residents apart from those who are under 60 years of age and either unemployed or in very low paid employment. But supplementary benefit does take claims from that latter category in the event of them becoming unfit for work by sickness, even the most short-term sickness.
107. Clearly, the two customer bases are really the same people, with the same families and the same living and housing arrangements. Providing their social welfare benefits through a combination of one very large scheme and one very small scheme makes no sense. Indeed, it leads to considerable inefficiency.
108. Over the last 30 years, since the introduction of the supplementary benefit scheme, there has been an incremental transfer of claims to that scheme from public assistance. A quantum shift occurred in 1988 when, as a consequence of a Peat Marwick consultants' report, responsibility for social assistance payments to the short-term sick moved from public assistance to supplementary benefit. This has left public assistance with a very narrow coverage which no longer justifies a separate administration.

109. The Department takes the opportunity to place on record its appreciation of the excellent work which the current Relieving Officials and their predecessors have undertaken, for generations, to the benefit of their parishioners and the Island community. The Department recommends, however, that the remaining public assistance claimants should now be integrated within an extended supplementary benefit scheme because:

- while its survival to this point has been remarkable, the administration of public assistance in Guernsey is a relic of the Poor Laws, which sits uncomfortably in the social security provision of a developed society;
- access to social assistance should be available during office hours, not only on a designated weekday evening;
- persons wishing to claim a statutory benefit funded by the general taxpayer are entitled to receive professional support which is consistent, comprehensive and appropriate to each individual's circumstances in accordance with the social security legislation;
- the Social Security Department and its executive staff currently administer all of Guernsey and Alderney's social security coverage, amounting to £114m per year (2003) apart from public assistance, which amounts to £0.5m per year;
- extension of the supplementary benefit scheme to include the public assistance claimants will remove all possibility of different treatment of a claim dependent on the parish in which the claimant lives;
- the inefficient, frequent shuttling of claimants between supplementary benefit and public assistance claims will stop immediately;
- claims will be better controlled and monitored, with particular regard to the efforts that claimants are making to find work;
- more assistance will be given to claimants with improving their prospects of employment through one-to-one interviews, arrangement of basic skills and other training opportunities and participation in various back-to-work initiatives;
- the payment of rent allowances will be better controlled through the undertaking of home visits, which are not currently done;
- overpayments and underpayments of benefit, resulting from decisions in the parishes without full information or through computation error will be eliminated;
- safety and security issues that currently surround the payment of benefit in the parishes will be eliminated.

Recommendations

110. The Department recommends:

1. that the classifications of persons to whom the Supplementary Benefit Law applies be extended to include persons who are unemployed and actively seeking employment, with the effect that persons who must currently rely on public assistance for financial support shall in future be able to claim supplementary benefit;
2. that the Parochial Outdoor Assistance Boards be abolished;
3. that the office of Overseer of the Poor of the Parish of St Peter Port be abolished;
4. that, in addition to sub-paragraph 1 above, the supplementary benefit legislation be amended as described in paragraphs 94 to 103 of this report;
5. that the Treasury and Resources Department be directed to have due regard to the staffing implications of these proposals when administering the Staff Number Limitation Policy;
6. that the Treasury and Resources Department be authorised to increase the 2005 Revenue Budget of the Social Security Department and to take into account these proposals when recommending to the States revenue allocations for 2006 and subsequent years;
7. that these recommendations shall take effect from 1 July 2005 or as soon as practicable thereafter.

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

Yours faithfully

Mary Lowe
Minister

(NB The Policy Council, by a majority, supports the proposals.)

(NB The Treasury and Resources Department, by a majority, supports the proposals. Deputy Dorey and Deputy Le Tocq dissent from this view.)

The States are asked to decide:-

VIII.- Whether, after consideration of the Report dated 25th February, 2005, of the Social Security Department, they are of the opinion:-

1. That the classifications of persons to whom the Supplementary Benefit Law applies be extended to include persons who are unemployed and actively seeking employment, with the effect that persons who must currently rely on public assistance for financial support shall in future be able to claim supplementary benefit.
2. That the Parochial Outdoor Assistance Boards be abolished.
3. That the office of Overseer of the Poor of the Parish of St Peter Port be abolished.
4. That, in addition to proposition 1 above, the supplementary benefit legislation be amended as set out in paragraphs 94 to 103 of that Report.
5. To direct the Treasury and Resources Department to have due regard to the staffing implications of these proposals when administering the Staff Number Limitation Policy.
6. To authorise the Treasury and Resources Department to increase the 2005 Revenue Budget of the Social Security Department and to direct it to take into account these proposals when recommending to the States revenue allocations for 2006 and subsequent years.
7. That these recommendations shall take effect from 1st July 2005 or as soon as practicable thereafter.
8. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ORDINANCE LAID BEFORE THE STATES**THE IVORY COAST (RESTRICTIVE MEASURES)
(GUERNSEY) ORDINANCE, 2005**

In pursuance of the provisions of the proviso to Article 66(3) of the Reform (Guernsey) Law, 1948, as amended, the Ivory Coast (Restrictive Measures) (Guernsey) Ordinance, 2005, made by the Legislation Select Committee on 14th March, 2005, is laid before the States.

TREASURY AND RESOURCES DEPARTMENT**GUERNSEY POST LIMITED - SUBMISSION OF ANNUAL ACCOUNTS**

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

21st February 2005

Dear Sir

Under Section 8 of the States Trading Companies (Bailiwick of Guernsey) Ordinance 2001, the year end accounts of Guernsey Post Limited are required to be published as an appendix to a Billet d'Etat.

I therefore submit the Report and Financial Statements of Guernsey Post Limited for the year ended 30 September 2004.

As explained in the Director's Report the 2003 comparatives have been restated in respect of deferred taxation, as a result the retained loss for the financial year has been reduced from £819,922 to £333,134.

Although the accounts for 2004 show a loss on ordinary activities of just under £200,000 this is a substantial improvement on the previous year. The Department will continue to liaise closely with the Board of Directors to ensure that everything is being done to sustain and build upon this improved performance.

I should be grateful if you would include this matter as an Appendix to the April 2005 Billet d'Etat.

Yours faithfully

L S Trott
Minister

Guernsey Post Limited

Report and financial statements

30 September 2004

Guernsey Post Limited

Directors:

D J Warr (Chairman)
M R Hall Managing Director)
J Domican
T W S Holder
D R Jehan
R A Perrot
D T Roberts

Auditors:

KPMG Channel Islands Limited
Chartered Accountants

Registered office:

Envoy House
La Vrangue
St Peter Port
Guernsey
GY1 1AA

Guernsey Post Limited

Chairman's Statement

The year ended 30 September 2004 has been another difficult year for the company in financial terms, although I am pleased to report that on a number of fronts, positive progress has been achieved.

Whilst it is disappointing to report a loss before tax for the financial year of £192,758, this represents an improvement on the previous year's loss before tax of £1,032,671. Furthermore, we are forecasting a move back into profit in the current financial year.

A significant influence on the company's financial performance has been the changed relationship with our main trading partner, Royal Mail. As Royal Mail confronts significant competition within its own markets, it has taken a far more robust stance on the charges it levies for delivering mail posted from Guernsey. At present, there is no realistic alternative to Royal Mail, although as the UK postal market continues to liberalise, we are keeping the situation under review to ensure that we achieve a cost effective delivery of mail into the UK whilst maintaining quality of service.

In my Chairman's statement last year, I referred to the importance of our first application for a tariff increase to the Office of Utility Regulation (OUR). In March 2004, the OUR announced its decision on Guernsey Post's application for tariff increases. The OUR's decision was disappointing in certain respects, most notably that our request for the cost of postage for a standard local letter be increased to 28p was rejected and a rate of 26p awarded.

The relationship with one's Regulator will inevitably be difficult on occasions and at the time of writing this report, we have lodged an appeal against the OUR's decision to extend its powers to control postal prices outside the Reserved Sector. Furthermore, the director of OUR has announced her resignation. Whilst it would be inappropriate to comment on these two developments, I believe that there is a need to reconsider the regulatory regime and in this regard we look forward to making a positive contribution to the review of commercialisation announced by the Minister for Treasury & Resources in September 2004 and which will take place in the coming months.

Leaving aside the financial performance, the company has made good progress in a number of areas, not least of which is a continuing improvement in quality of service, greater emphasis on increasing our courier and express business and the further development of bulk mail traffic. There is still more to be achieved but with better systems in place, an experienced management team and a committed workforce, there are grounds for optimism.

During the past 12 months, we have made a concerted effort to regain the confidence of our customers and have welcomed the constructive input from Postwatch Guernsey in achieving this objective.

Whilst I am stepping down as Chairman, I am very pleased to be handing over to Dudley Jehan, who joined the Board in November 2003 and brings to the role, a wealth of experience in local business. My fellow non-executive director, Terry Holder, is also standing down and I would like to thank him for his unstinting efforts during his period in office.

We have started the current financial year in good heart and early indications are that the trading performance is on budget. If this continues for the rest of the year, the business will move back into profit, although this is no cause for complacency given the continuing pressure from Royal Mail on charges, a challenging market place and the need for us to seek a further review of tariffs in the early part of 2006.

David J Warr
Chairman

Guernsey Post Limited

Managing Director's report

Guernsey Post continued with its programme of change throughout the year. The emphasis on improved quality of service was maintained, and was reinforced by the Company's determination to reduce trading losses on the path to renewed profitability. I am pleased to report that trading losses were almost halved from £1.5m in 2002-3 to £824k in 2003-4. This was achieved through:

- the implementation of improved management and financial-control systems leading to better cost control;
- better than expected postal and retail revenue;
- savings in operational costs in the Retail network;
- a reduction in planned project expenditure.

It was only during the last quarter of the financial year that the tariff increases of 1 June 2004 began to have an impact; before then Guernsey Post had had to absorb all the increased costs of the Royal Mail contract, since April 2003, within its own bottom-line. Now, with the cost-reduction measures and the new tariffs, Guernsey Post is beginning once again to trade profitably. However, in accordance with the OUR's price control measures, Guernsey Post's regulated tariffs will remain frozen until 31 March 2006. There will be further increases in Royal Mail prices during the intervening period, and Guernsey Post will have to continue its drive to keep its other costs well under control.

Meanwhile, the quality of the postal services in the Bailiwick has, gone from strength to strength. As a result, Guernsey Post met 17 of its 23 targets set by the OUR for the financial year.

In particular:

- local letters collected and delivered in the Bailiwick achieved 91.6% next day delivery over the year, compared with the OUR target of 86.0%. Indeed by September 2004 93.1% next day delivery was achieved;
- standard mail to the United Kingdom achieved 73.2% next day delivery compared with a target of 65.0%. Again, by August 2004 this had further improved to 77.3%;
- standard mail from the United Kingdom to the Bailiwick achieved 65.3% next day delivery compared with a target of 60.0%. By September 2004 this had reached 85.5%.

So the improvements during the financial year against the OUR targets have been sustained and built on.

Guernsey Post also achieved one of the best performances at Christmas on record: 92.6% of local mail was delivered across the Bailiwick the day after posting during December 2003.

Regrettably, the quality of service provided during 2003-4 for about half of Guernsey's bulk mail – that which enters the Royal Mail network unsorted – was seriously impacted by the adverse effect of radical changes in the Royal Mail bulk network which became unacceptably protracted. Despite frequent assurances from Royal Mail that the service would quickly improve, it did not. At the time of writing this report, new operating arrangements had just been implemented.

On a more positive note, a programme to reduce the problems of misdelivery in the Bailiwick was launched publicly in June 2004, and by August and September complaints had fallen by a third compared with the same period of 2003.

Moreover, despite the recent tariff increases, prices charged in Guernsey for both standard and bulk mail remain some of the cheapest in Europe. It costs 26p for a local letter in Guernsey and 32p for next day delivery to the United Kingdom. In Jersey it costs 32p for a local letter (rising to 33p in April 2005) and 33p to the UK (34p from April). In the UK first class rates will rise from 28p to 30p in April 2005. Comparative prices for 60g letters collected and delivered next day within other European countries are: 45p in Spain, 79p in France, 80p in the Netherlands, 95p in Germany, and £1.12 in Italy. As mentioned above Guernsey's rates are frozen until the end of March 2006.

A big thank you to all Guernsey Post's managers, staff and its unions for the substantial progress that we are making in providing the Bailiwick with a postal service of which it can be justly proud.

Mike Hall
Managing Director

Guernsey Post Limited

Directors' report

The directors submit their report and the audited financial statements for the year ended 30 September 2004.

Principal activities

The company's principal activity is the provision of a postal service for the Bailiwick of Guernsey. The company also markets its postage stamps and other philatelic products to stamp collectors worldwide.

Results

The results for the year are shown in the profit and loss account on page 9. The comparative figures include a restatement to the deferred tax liability shown in the 2003 financial statements. This restatement arises from an error in calculating the amount of accelerated capital allowances in advance of depreciation as at 30 September 2003. Whilst there is no impact to the 2003 pre tax loss reported of £1,032,671, an adjustment has been made to reduce the prior year deferred tax charge and related creditor provision, and to increase retained profits by £486,788. There is no impact on tax payable by the company.

Dividend

The directors do not recommend the payment of a dividend (2003: £Nil).

Directors

The directors of the company who were appointed and held office during the year were as follows:

M J Bradshaw	(Resigned 20 August 2004)
J Domican	(Appointed 1 April 2004)
M R Hall	
T W S Holder	
D R Jehan	(Appointed 26 November 2003)
R A Perrot	
D T Roberts	
D J Warr	

In accordance with the Articles of Association D T Roberts is due to retire by rotation, and being eligible offers himself for re-election at the forthcoming AGM.

Guernsey Post Limited

Directors' report - continued

Statement of directors' responsibilities

The directors are responsible for preparing financial statements for each financial year which give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period and are in accordance with applicable laws. In preparing those financial statements the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable accounting standards have been followed subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis, unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the company and to enable them to ensure that the financial statements comply with The Companies (Guernsey) Law, 1994. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Auditors

Due to a restructuring of their business, KPMG have been replaced as auditors by KPMG Channel Islands Limited. A resolution for the re-appointment of KPMG Channel Islands Limited will be proposed at the forthcoming annual general meeting.

M R Hall
Director

D J Warr
Director

KPMG Channel Islands Limited
 2 Grange Place
 The Grange
 Guernsey, Channel Islands
 GY1 4LD

Independent auditors' report to the members of Guernsey Post Limited

We have audited the financial statements on pages 9 to 21.

This report is made solely to the company's members, as a body, in accordance with section 64 of The Companies (Guernsey) Law, 1994. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of directors and auditors

The directors are responsible for preparing the directors' report and, as described on page 7, the financial statements in accordance with applicable Guernsey law and UK accounting standards. Our responsibilities, as independent auditors, are established in Guernsey by law, the UK Auditing Practices Board and by our profession's ethical guidance.

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with The Companies (Guernsey) Law, 1994 and Section 10(1) of The Post Office (Guernsey) Law, 1969. We also report to you if, in our opinion, the directors' report is not consistent with the financial statements, if the company has not kept proper accounting records, or if we have not received all the information and explanations we require for our audit.

We read the other information accompanying the financial statements and consider whether it is consistent with those statements. We consider the implications for our report if we become aware of any apparent misstatements or material inconsistencies with the financial statements.

Basis of audit opinion

We conducted our audit in accordance with UK Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the directors in the preparation of the financial statements, and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements give a true and fair view of the state of the company's affairs as at 30 September 2004 and of its loss for the year then ended and have been properly prepared in accordance with The Companies (Guernsey) Law, 1994 and Section 10(1) of The Post Office (Guernsey) Law, 1969.

KPMG Channel Islands Limited
Chartered Accountants
 19 January 2005

Guernsey Post Limited

Profit and loss account

for the year ended 30 September 2004

		2004	2003
		£	(restated) £
	Notes		
Income	1	21,393,449	19,904,801
Expenses	1	(22,217,654)	(21,413,990)
Operating loss on ordinary activities before other income	2	(824,205)	(1,509,189)
Other income			
Interest received	3	549,429	459,339
Rents received		<u>82,018</u>	<u>17,179</u>
		631,447	476,518
Loss on ordinary activities before taxation		(192,758)	(1,032,671)
Taxation	4	<u>-</u>	<u>699,537</u>
Retained loss for the financial year	8	£ <u>(192,758)</u>	£ <u>(333,134)</u>

All activities derive from continuing operations.

There are no recognised gains and losses or other movements in reserves for the current financial year other than as stated in note 8.

The notes on pages 12 to 21 form part of these financial statements.

Guernsey Post Limited

Balance sheet

at 30 September 2004

	Notes	2004 £	2003 (restated) £
Assets employed			
Tangible fixed assets	1,5	16,643,575	17,049,105
Investments	1,11	2	2
Current assets			
Stock		135,317	115,674
Debtors	6	2,698,273	2,511,994
Cash at bank and in hand		<u>16,589,295</u>	<u>12,855,812</u>
		19,422,885	15,483,480
Creditors: amounts falling due within one year	7	<u>(13,094,637)</u>	<u>(9,368,004)</u>
Net current assets		<u>6,328,248</u>	<u>6,115,476</u>
Total net assets		£ 22,971,825	£ 23,164,583
Financed by			
Share capital	8	22,386,259	22,386,259
Revenue reserve	8	<u>585,566</u>	<u>778,324</u>
		£ 22,971,825	£ 23,164,583

The financial statements on pages 9 to 21 were approved by the Board on 11 January 2005 and were signed on the Board's behalf by:

M R Hall
Director

D J Warr
Director

The notes on pages 12 to 21 form part of these financial statements.

Guernsey Post Limited

Cash flow statement

for the year ended 30 September 2004

		2004 £	2003 £
	<i>Notes</i>		
Net cash inflow from operating activities	<i>10</i>	3,251,529	3,894,809
Returns on investments and servicing of finance			
Interest received		549,429	459,339
Rent received		<u>82,018</u>	<u>17,179</u>
Net cash inflow from returns on investments and servicing of finance		631,447	476,518
Taxation		352,064	(762,717)
Capital expenditure			
Payment to acquire tangible fixed assets		(508,466)	(2,954,879)
Proceeds from sales of tangible fixed assets		<u>6,909</u>	<u>-</u>
Net cash outflow from capital expenditure		(501,557)	(2,954,879)
Equity dividends paid		-	(537,270)
Financing			
Investment in subsidiary		<u>-</u>	<u>(2)</u>
Increase in cash	<i>10</i>	£ 3,733,483	£ <u>116,459</u>

The notes on pages 12 to 21 form part of these financial statements.

Guernsey Post Limited

Notes to the financial statements

1. Accounting policies

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the company's financial statements.

Basis of preparation

These financial statements have been prepared under the historical cost convention, and in accordance with applicable United Kingdom generally accepted accounting principles.

Income

Sales of stamps and the crediting of franking machines are accounted for on a receipts of funds basis.

Expenses

Postal operations expenses are charged as incurred. No provision is made for any charges which may be incurred in handling or delivering mail in respect of stamps and franking machine credits sold but unused at the balance sheet date.

Pension costs

The costs of the defined benefit scheme are charged to the profit and loss account over the period during which the company benefits from the employees' services. Surpluses or deficits are spread over the expected average remaining working lifetime of employees in proportion to their expected payroll costs.

Taxation

Taxation provided is that chargeable on profits for the year and takes into account taxation deferred because of timing differences between the treatment of certain items for taxation and accounting purposes. Except where otherwise required by accounting standards, full provision without discounting is made for all timing differences, which have arisen but not reversed at the balance sheet date. Deferred tax assets are only recognised to the extent that they are regarded as recoverable.

Stock

The cost of definitive stamps, including the non-value indicator self-stick range, is written off over the expected sales life of each type of stamp, which is unlikely to exceed three years. Commemorative stamp costs are fully written off in the year of issue.

Other stocks are valued at the lower of cost and net realisable value.

Guernsey Post Limited

Notes to the financial statements (continued)

1. Accounting policies (continued)

Tangible fixed assets

Tangible fixed assets are stated at cost less depreciation. Depreciation is not provided on freehold land, but is provided on other fixed assets and is calculated at the following rates so as to write off the cost of tangible fixed assets over their estimated useful lives using the straight-line method. A full year's depreciation is charged in the year of acquisition.

	Estimated life in years	Depreciation % per annum
Freehold land	N/A	Nil
Freehold buildings	30 – 50	2 – 3.3
Furniture and fittings, office equipment and postal machinery	3 – 10	10 – 33.3
Transport	5	20

Investment in subsidiary

Investment in subsidiary is stated at cost. The subsidiary has not been consolidated on the basis that it is dormant, and non-consolidation does not have a material impact on these financial statements.

2. Operating loss

Operating loss is stated after charging:	2004 £	2003 £
Payroll costs	9,622,625	8,714,589
Auditors' remuneration		
Audit fee	10,046	10,000
Other services	7,000	8,500
Loss on disposal of fixed assets	62,782	29,402
Depreciation	851,213	797,858

3. Interest received

	2004 £	2003 £
States Treasury	518,493	428,092
Other	<u>30,936</u>	<u>31,247</u>
	£ <u>549,429</u>	£ <u>459,339</u>

Guernsey Post Limited

Notes to the financial statements (continued)

4. Taxation

4a) Taxation credit

The basis of assessment of trading income to Guernsey tax is changing from a prior year basis to a current basis from 2006. The trading results shown in these accounts are subject to transitional provisions under the Taxes & Duties (Provisional Effect)(Guernsey) Law 1992.

Profits chargeable to tax for the Year of Charge 2005 will be the average of adjusted profits for the 2004 and 2005 accounting periods.

Previously the company accrued for current tax based on the taxable profit (or loss) for that accounting period notwithstanding that tax was charged to the Company on a prior year basis. The accounting impact of the transition to an actual basis from 2006 is that only half of the year's profits for 2004 and 2005 year ends would suffer tax at 20%.

With effect from the 2006 year end the Company will make full provision for tax, based on the tax rate applicable to the Company, on its current year taxable profits.

The actual tax charge differs from the expected tax charge computed by applying the standard rate of Guernsey income tax of 20% as follows:

	2004	2003 (restated)
	£	£
<i>Current taxation:</i>		
Expected tax credit at 20% on loss before taxation	(38,552)	(206,534)
Effect of:		
Election to actual basis of assessment for Years of Charge 2002 and 2003	-	(674,577)
Timing differences	49,063	
Non-taxable items	-	70,149
Effect of transitional provisions	(8,979)	
Losses brought forward and utilised	(1,532)	-
Unutilised losses carried forward	<u>-</u>	<u>136,385</u>
Current year tax credit	-	(674,577)
<i>Deferred taxation:</i>		
Timing differences:	<u>-</u>	<u>(24,960)</u>
Actual tax credit	£ <u>-</u>	£ <u>(699,537)</u>

The taxation credit in 2003 results from the election to actual basis of assessment for years of assessment 2002 and 2003, and consequently the reversal of the additional provision made at 30 September 2002 under the commencing source rules.

4b) Deferred Tax

The tax effect of timing differences between capital allowances of £200,195 (2003: £229,579 restated) and tax losses carried forward of £303,498 (2003: £272,230) yield a net deferred tax asset which is not recognised in accordance with the accounting policy. The 2003 tax effect of capital allowances has been reduced by £529,439 due to a miscalculation of timing differences in the prior year. This error has been treated as a prior year adjustment in this year's financial statements by increasing the tax credit for 2003 by £486,788.

Guernsey Post Limited

Notes to the financial statements (continued)

5. Tangible fixed assets

	1 October 2003 £	Additions £	Written off/ disposals £	30 September 2004 £
<i>Cost</i>				
Freehold land	2,505,000	-	-	2,505,000
Freehold buildings	11,914,241	19,861	-	11,934,102
Furniture and fittings	295,420		(98,028)	197,392
Office equipment	1,201,885	22,323	(207,027)	1,017,181
Postal machinery	2,876,047	364,096	(199,016)	3,041,127
Transport	<u>602,005</u>	<u>102,186</u>	<u>(42,412)</u>	<u>661,779</u>
	£ 19,394,598	£ 508,466	£ (546,483)	£ 19,356,581
	1 October 2003 £	Charge for year £	Written off/ disposals £	30 September 2004 £
<i>Depreciation</i>				
Freehold land	0	0	-	0
Freehold buildings	263,196	238,619	-	501,815
Furniture and fittings	273,145	10,643	(82,667)	201,121
Office equipment	799,420	140,341	(190,109)	749,652
Postal machinery	542,591	394,012	(169,039)	767,564
Transport	<u>467,141</u>	<u>67,598</u>	<u>(41,885)</u>	<u>492,854</u>
	£ 2,345,493	£ 851,213	£ (483,700)	£ 2,713,006
<i>Net book value</i>	£ 17,049,105			£ 16,643,575

6. Debtors

	2004 £	2003 £
Trade debtors	2,057,052	2,266,770
Other debtors	537,698	108,072
Prepayments and accrued income	<u>103,523</u>	<u>137,152</u>
	£ 2,698,273	£ 2,511,994

Guernsey Post Limited

Notes to the financial statements (continued)

7. Creditors

	2004 £	2003 £
Amounts falling due within one year		
Trade creditors	10,730,991	7,511,338
Other creditors	2,199,093	1,991,908
Accruals and deferred income	164,553	216,821
Taxation payable/(receivable)	-	(352,063)
	<u>£ 13,094,637</u>	<u>£ 9,368,004</u>

8. Share capital and reserves

	2004 £	2003 £
Share capital		
22,386,259 ordinary shares issued at £1 (authorised 40,000,000 ordinary shares)	<u>£ 22,386,259</u>	<u>£ 22,386,259</u>
Revenue reserves:		
At 1 October (as previously stated)	291,536	1,111,458
Prior period adjustment (see note 4b)	486,788	-
At 1 October (as restated)	<u>778,324</u>	<u>1,111,458</u>
Retained loss for 2003 (as previously stated)	-	(819,922)
Prior period adjustment (see note 4b)	-	486,788
Retained loss for the year (2003 restated)	<u>(192,758)</u>	<u>(333,134)</u>
At 30 September	<u>£ 585,566</u>	<u>£ 778,324</u>
Shareholders Funds		
At 1 October (as previously stated)	22,677,795	23,497,717
Prior period adjustment (see note 4b)	486,788	-
At 1 October (as restated)	<u>23,164,583</u>	<u>23,497,717</u>
Retained loss for 2003 (as previously stated)	-	(819,922)
Prior period adjustment (see note 4b)	-	486,788
Retained loss for the year (2003 restated)	<u>(192,758)</u>	<u>(333,134)</u>
At 30 September	<u>£ 22,971,825</u>	<u>£ 23,164,583</u>

9. Ownership

The company is wholly owned by the States of Guernsey.

Guernsey Post Limited

Notes to the financial statements (continued)

10. Reconciliation of operating loss to net cash inflow from operating activities

	2004 £	2003 £
Operating loss	(824,205)	(1,509,189)
Depreciation charges	851,213	797,858
Loss on disposal of fixed assets	55,873	29,402
(Increase) /Decrease in stock	(19,643)	35,740
Increase in debtors	(186,279)	(137,611)
Increase in creditors	<u>3,374,570</u>	<u>4,678,609</u>
Net cash inflow from operating activities	£ <u>3,251,529</u>	£ <u>3,894,809</u>

Reconciliation of net cash inflow to movement in net funds

	£
Increase in cash balances	3,733,483
Net funds at 1 October 2003	<u>12,855,812</u>
Net funds at 30 September 2004	£ <u>16,589,295</u>

11. Investment in subsidiary

	2004 £	2003 £
Independent Delivery Solutions Limited	£ <u>2</u>	£ <u>2</u>

Independent Delivery Solutions Limited, a company incorporated in Guernsey, is a 100% owned dormant subsidiary.

12. Capital commitments

At 30 September 2004 the company had no authorised significant future capital expenditure.

13. Pension Fund

The employees of the company are members of the States of Guernsey Superannuation Scheme. This is a defined benefits pension scheme funded by contributions from both employer and employees at rates which are determined on the basis of actuarial advice, and which are calculated to spread the expected costs of benefits payable to employees over the period of these employees' expected service lives.

In respect of the year ended 30 September 2004 the contribution rates were 9% and 6% for employer and employee contributions respectively.

Guernsey Post Limited

Notes to the financial statements (continued)

13. Pension fund - continued

In accordance with SSAP 24 the total amount of superannuation contributions for the year from 1 October 2003 to 30 September 2004 were £529,523 (2003: £405,641). As at 30 September 2004 the amount of contributions due but not paid to the Fund were £55,737 (2003: £38,685).

In accordance with the transitional requirements of FRS 17 the company has used actuarial calculations provided by the actuaries to identify its share of underlying assets and liabilities of the Scheme and to identify the implications of any surplus/(deficit) on the company, as at 30 September 2004. The calculations have been carried out by a qualified independent actuary, based on the results of the 31 December 2001 actuarial valuation, and allowing for the change in total salaries for active members. The actuary has estimated asset figures based on the information available to him at the current time and revisions may be made by the actuary following further information which becomes available from the States of Guernsey in respect of the company's actuarial account within the States of Guernsey Superannuation Scheme.

Summary of Financial Assumptions:

	At 30 September 2004	At 30 September 2003	At 30 September 2002
Discount rate	5.5%	5.3% pa	5.4% pa
Inflation	2.9%	2.7% pa	2.2% pa
Increases to deferred benefits during deferment	3.0%	2.8% pa	2.5% pa
Increases to pensions in payment	3.0%	2.8% pa	2.5% pa
Increases to salaries	4.4%	4.2% pa	3.7% pa

The assumptions used by the actuary are the best estimates chosen from a range of possible actuarial assumptions which, due to the timescale covered, may not necessarily be borne out in practice.

The tables below set out a summary of the estimated market value of the assets as at 30 September 2004, 30 September 2003 and 30 September 2002 together with the expected return on assets.

Category	Market Value at 30 September 2004		Expected return on assets % pa
	£'000	%	
Equities	11,312	76.5	7.75
Bonds	3,132	21.2	4.90
Cash and Net Current Assets	334	2.3	4.50
Total	14,778	100.0	7.10

Category	Market Value at 30 September 2003		Expected return on assets % pa
	£'000	%	
Equities	10,045	75.70	7.75
Bonds	2,999	22.60	4.90
Cash and Net Current Assets	222	1.70	3.50
Total	13,266	100.0	7.03

Guernsey Post Limited

Notes to the financial statements (continued)

13. Pension fund – continued

Category	Market Value at 30 September 2002		Expected return on assets % pa
	£'000	%	
Equities	7,247	67.60	7.50
Bonds	2,750	25.70	5.40
Cash and Net Current Assets	723	6.70	3.50
Total	10,720	100.0	

The fair value of the scheme's assets, which are not intended to be realised in the short term and may be subject to significant change before they are realised and the present value of the scheme's liabilities, which are derived from cash flow projections over long periods and thus inherently uncertain, were:

	Values as at 30 September 2004 £'000	Values as at 30 September 2003 £'000	Values as at 30 September 2002 £'000
Value of the Scheme Assets	14,778	13,266	10,720
Present Value of the Scheme Liabilities	20,043	18,466	12,595
Resulting Deficit	(5,265)	(5,200)	(1,875)

The following amounts would be reflected in the profit and loss account, balance sheet and the statement of total recognised gains and losses on implementation of FRS 17.

Balance Sheet presentation

	30 September 2004 £'000	30 September 2003 £'000	30 September 2002 £'000
Net assets excluding pension liability	22,972	23,165	23,498
Pension liability,	(5,265)	(5,200)	(1,875)
Net assets including pension liability	£ 17,707	£ 17,965	£ 21,623

Reserves note

	30 September 2004 £'000	30 September 2003 £'000 (restated)	30 September 2002 £'000
Revenue reserve excluding pension liability	137	292	1,111
Pension reserve	(5,265)	(5,200)	(1,875)
Profit and loss reserve including pension liability	£ (5,128)	£ (4,908)	£ (764)

Guernsey Post Limited

Notes to the financial statements (continued)

13. Pension fund – continued

Analysis of the amount that would be charged to operating profit

	1 October 2003 to 30 September 2004 £'000	1 October 2002 to 30 September 2003 £'000
Current service cost	1,101	754
Past service cost	<u>-</u>	<u>-</u>
Total operating charge	<u>1,101</u>	<u>754</u>

Analysis of the amount that would be credited to other finance income

	1 October 2003 to 30 September 2004 £'000	1 October 2002 to 30 September 2003 £'000
Expected return on pension scheme assets	(952)	736
Interest on pension scheme liabilities	<u>975</u>	<u>(680)</u>
Net return	<u>23</u>	<u>56</u>

Analysis of the amount that would be recognised in a statement of total recognised gains and losses (STRGL)

	1 October 2003 to 30 September 2004 £'000	1 October 2002 to 30 September 2003 £'000
Actual return less expected return on pension scheme assets	97	1,234
Experience gains and loss arising on the scheme liabilities	465	(2,375)
Changes in assumptions underlying the present value of the scheme liabilities	<u>0</u>	<u>(1,912)</u>
Actuarial gain / loss recognised in the STRGL	<u>562</u>	<u>(3,053)</u>

Movement in deficit during the year

	1 October 2003 to 30 September 2004 £'000	1 October 2002 to 30 September 2003 £'000
Deficit in scheme at beginning of the year	(5,200)	(1,875)
Movement in year:		
Current service cost	(1,101)	(754)
Contributions	497	426
Past service costs	-	-
Other finance income	(23)	56
Actuarial gain/loss	<u>562</u>	<u>(3,053)</u>
Deficit in scheme at end of the year	<u>(5,265)</u>	<u>(5,200)</u>

Guernsey Post Limited

Notes to the financial statements (continued)

13. Pension fund – continued

History of experience gains and losses

	1 October 2003 to 30 September 2004 £'000 / %	1 October 2002 to 30 September 2003 £'000 / %
Difference between the actual and expected return on scheme assets:		
Amount (£)	£97	£1,234
Percentage of scheme assets	1%	9%
Experience gains and losses on scheme liabilities:		
Amount (£)	£465	£(2,375)
Percentage of the present value of the scheme liabilities	2%	(13)%
Total amount recognised in statement of total recognised gains and losses:		
Amount (£)	£562	£(3,053)
Percentage of the present value of the scheme liabilities	3%	(17)%

14. Related party transactions

One of the directors, R A Perrot, is also a partner in Ozannes, a local law firm. Guernsey Post received legal services from Ozannes on a number of issues throughout the year transacted on an arm's length basis. The charges incurred by the company to Ozannes during the year ended 30 September 2004 were £13,246 (2003: £58,771).

D T Roberts and J Domican, both being directors, are also directors of Postal and Logistics Consulting Worldwide Limited (PLCWW). Guernsey Post received postal operations consultancy and staff services during the year transacted on an arm's length basis. The charges incurred by the company to PLCWW during the year ended 30 September 2004 were £103,753 (2003: £188,298).

Of the company's annual income and expenditure, less than 2% of their respective value is due to transactions with other States entities.

Cash balances held with the States of Guernsey Treasury as at 30 September 2004 were £15,438,390 (2003: £11,819,897).

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27th DAY OF APRIL, 2005

The States resolved as follows concerning Billet d'État No IV
dated 8th April, 2005

PROJET DE LOI

entitled

THE RACIAL HATRED (BAILIWICK OF GUERNSEY) LAW, 2005

I.- To approve the Projet de Loi entitled “The Racial Hatred (Bailiwick of Guernsey) Law, 2005”, and to direct the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE INTELLECTUAL PROPERTY (ENABLING PROVISIONS) (BAILIWICK OF GUERNSEY) LAW, 2004 (COMMENCEMENT) ORDINANCE, 2005

II.- To approve the draft Ordinance entitled “The Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 (Commencement) Ordinance, 2005”, and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

2006 CENSUS

III.- After consideration of the Report dated 23rd March, 2005, of the Policy Council: -

1. That a Guernsey Census shall not be held in 2006.
2. That a Guernsey Census shall be held in 2011.
3. To direct the Treasury and Resources Department to take into account the financial resources required for further research into the development of an electronic citizenship database and other means of gathering and collating relevant population data when recommending to the States the revenue and capital allocations for 2006 and subsequent years.
4. To direct States Departments to contribute to the development of collating population data, including projections of population total, between Census years, as required.

TREASURY AND RESOURCES DEPARTMENT

APPOINTMENT OF NON-EXECUTIVE DIRECTOR – GUERNSEY POST LIMITED

IV.- After consideration of the Report dated 24th February, 2005, of the Treasury and Resources Department: -

To approve the appointment of Mr Jeffrey Kitts as a non-executive director of Guernsey Post Limited.

TREASURY AND RESOURCES DEPARTMENT

ROYAL COURT – ESSENTIAL MAINTENANCE AND REFURBISHMENT

V.- After consideration of the Report dated 21st March, 2005, of the Treasury and Resources Department: -

1. (a) To approve the major refurbishment of the Royal Court as set out in that Report at a total cost not exceeding £2,850,000.
- (b) To authorise the Treasury and Resources Department to approve the issue and acceptance of all tenders in connection with the project and to approve a capital vote, not exceeding £2,850,000 such sum to be charged to its capital allocation.
- (c) To authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to its capital allocation in respect of this project.
2. To note that it will be necessary for the States of Deliberation to convene for a number of sessions in 2006 in the larger of the two new court rooms whilst the proposed maintenance works are undertaken.
3. To note that the House Committee will bring forward in due course, in accordance with the States Resolutions of 17th May 2002, proposals for voting in the States of Deliberation to include provision for simultaneous electronic voting.
4. To direct the Treasury and Resources Department to maximise the value of the land parcels adjoining the Royal Court complex as set out in that Report.

COMMERCE AND EMPLOYMENT DEPARTMENT

GAS SAFETY

VI.- After consideration of the Report dated 26th January, 2005, of the Commerce and Employment Department: -

1. To enact legislation on gas safety in accordance with the principles set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

HOME DEPARTMENT

PAROLE REVIEW COMMITTEE

VII.- After consideration of the Report dated 25th February, 2005, of the Home Department: -

1. To approve the enactment of replacement parole legislation and the establishment of a revised parole regime 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.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28th DAY OF APRIL, 2005

(Meeting adjourned from 27th April, 2005)

The States resolved as follows concerning Billet d'État No IV
dated 8th April, 2005

SOCIAL SECURITY DEPARTMENT

**EXTENSION OF SUPPLEMENTARY BENEFIT TO INCLUDE PUBLIC
ASSISTANCE CLAIMANTS**

VIII.- After consideration of the Report dated 25th February, 2005, of the Social Security Department: -

1. That the classifications of persons to whom the Supplementary Benefit Law applies be extended to include persons who are unemployed and actively seeking employment, with the effect that persons who must currently rely on public assistance for financial support shall in future be able to claim supplementary benefit.
2. That the Parochial Outdoor Assistance Boards be abolished.
3. That the office of Overseer of the Poor of the Parish of St Peter Port be abolished.
4. That, in addition to proposition 1 above, the supplementary benefit legislation be amended as set out in paragraphs 94 to 103 of that Report.
5. To direct the Treasury and Resources Department to have due regard to the staffing implications of these proposals when administering the Staff Number Limitation Policy.
6. TO NEGATIVE THE PROPOSITION (i) to authorise the Treasury and Resources Department to increase the 2005 Revenue Budget of the Social Security Department; and (ii) to direct it to take into account these proposals when recommending to the States revenue allocations for 2006 and subsequent years.
7. That these recommendations shall take effect from 1st July 2005 or as soon as practicable thereafter.
8. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ORDINANCE LAID BEFORE THE STATES

**THE IVORY COAST (RESTRICTIVE MEASURES)
(GUERNSEY) ORDINANCE, 2005**

In pursuance of the provisions of the proviso to Article 66(3) of the Reform (Guernsey) Law, 1948, as amended, the Ivory Coast (Restrictive Measures) (Guernsey) Ordinance, 2005, made by the Legislation Select Committee on 14th March, 2005, was laid before the States.

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

Resolutions

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27th DAY OF APRIL, 2005

The States resolved as follows concerning Billet d'État No IV
dated 8th April, 2005

PROJET DE LOI

entitled

THE RACIAL HATRED (BAILIWICK OF GUERNSEY) LAW, 2005

I.- To approve the Projet de Loi entitled “The Racial Hatred (Bailiwick of Guernsey) Law, 2005”, and to direct the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE INTELLECTUAL PROPERTY (ENABLING PROVISIONS) (BAILIWICK OF GUERNSEY) LAW, 2004 (COMMENCEMENT) ORDINANCE, 2005

II.- To approve the draft Ordinance entitled “The Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 (Commencement) Ordinance, 2005”, and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

2006 CENSUS

III.- After consideration of the Report dated 23rd March, 2005, of the Policy Council: -

1. That a Guernsey Census shall not be held in 2006.
2. That a Guernsey Census shall be held in 2011.
3. To direct the Treasury and Resources Department to take into account the financial resources required for further research into the development of an electronic citizenship database and other means of gathering and collating relevant population data when recommending to the States the revenue and capital allocations for 2006 and subsequent years.
4. To direct States Departments to contribute to the development of collating population data, including projections of population total, between Census years, as required.

TREASURY AND RESOURCES DEPARTMENT

APPOINTMENT OF NON-EXECUTIVE DIRECTOR – GUERNSEY POST LIMITED

IV.- After consideration of the Report dated 24th February, 2005, of the Treasury and Resources Department: -

To approve the appointment of Mr Jeffrey Kitts as a non-executive director of Guernsey Post Limited.

TREASURY AND RESOURCES DEPARTMENT

ROYAL COURT – ESSENTIAL MAINTENANCE AND REFURBISHMENT

V.- After consideration of the Report dated 21st March, 2005, of the Treasury and Resources Department: -

1. (a) To approve the major refurbishment of the Royal Court as set out in that Report at a total cost not exceeding £2,850,000.
- (b) To authorise the Treasury and Resources Department to approve the issue and acceptance of all tenders in connection with the project and to approve a capital vote, not exceeding £2,850,000 such sum to be charged to its capital allocation.
- (c) To authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to its capital allocation in respect of this project.
2. To note that it will be necessary for the States of Deliberation to convene for a number of sessions in 2006 in the larger of the two new court rooms whilst the proposed maintenance works are undertaken.
3. To note that the House Committee will bring forward in due course, in accordance with the States Resolutions of 17th May 2002, proposals for voting in the States of Deliberation to include provision for simultaneous electronic voting.
4. To direct the Treasury and Resources Department to maximise the value of the land parcels adjoining the Royal Court complex as set out in that Report.

COMMERCE AND EMPLOYMENT DEPARTMENT

GAS SAFETY

VI.- After consideration of the Report dated 26th January, 2005, of the Commerce and Employment Department: -

1. To enact legislation on gas safety in accordance with the principles set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

HOME DEPARTMENT

PAROLE REVIEW COMMITTEE

VII.- After consideration of the Report dated 25th February, 2005, of the Home Department: -

1. To approve the enactment of replacement parole legislation and the establishment of a revised parole regime 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.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28th DAY OF APRIL, 2005

(Meeting adjourned from 27th April, 2005)

The States resolved as follows concerning Billet d'État No IV
dated 8th April, 2005

SOCIAL SECURITY DEPARTMENT

**EXTENSION OF SUPPLEMENTARY BENEFIT TO INCLUDE PUBLIC
ASSISTANCE CLAIMANTS**

VIII.- After consideration of the Report dated 25th February, 2005, of the Social Security Department: -

1. That the classifications of persons to whom the Supplementary Benefit Law applies be extended to include persons who are unemployed and actively seeking employment, with the effect that persons who must currently rely on public assistance for financial support shall in future be able to claim supplementary benefit.
2. That the Parochial Outdoor Assistance Boards be abolished.
3. That the office of Overseer of the Poor of the Parish of St Peter Port be abolished.
4. That, in addition to proposition 1 above, the supplementary benefit legislation be amended as set out in paragraphs 94 to 103 of that Report.
5. To direct the Treasury and Resources Department to have due regard to the staffing implications of these proposals when administering the Staff Number Limitation Policy.
6. TO NEGATIVE THE PROPOSITION (i) to authorise the Treasury and Resources Department to increase the 2005 Revenue Budget of the Social Security Department; and (ii) to direct it to take into account these proposals when recommending to the States revenue allocations for 2006 and subsequent years.
7. That these recommendations shall take effect from 1st July 2005 or as soon as practicable thereafter.
8. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ORDINANCE LAID BEFORE THE STATES

**THE IVORY COAST (RESTRICTIVE MEASURES)
(GUERNSEY) ORDINANCE, 2005**

In pursuance of the provisions of the proviso to Article 66(3) of the Reform (Guernsey) Law, 1948, as amended, the Ivory Coast (Restrictive Measures) (Guernsey) Ordinance, 2005, made by the Legislation Select Committee on 14th March, 2005, was laid before the States.

K. H. TOUGH
HER MAJESTY'S GREFFIER