

# IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 29<sup>th</sup> NOVEMBER, 2007

The States resolved as follows concerning Billet d'État No XXIV  
dated 9<sup>th</sup> November 2007

## PROJET DE LOI

entitled

### THE INCOME TAX (ZERO 10) (GUERNSEY) (No. 2) LAW, 2007

I.- To approve, subject to the following amendments, the Projet de Loi entitled "The Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

#### AMENDMENTS

1. For section 47C(3)(a) of the Income Tax (Guernsey) Law 1975 (inserted by clause 11 of the Projet and printed at page 7 of the Brochure) substitute the following paragraph-
  - "(a) any sums representing income tax deducted from the non-resident individual's disregarded individual income for the year of charge (see section 47D),".
2. For section 47H(3)(a) of the Income Tax (Guernsey) Law 1975 (inserted by clause 11 of the Projet and printed at page 11 of the Brochure) substitute the following paragraph-
  - "(a) any amounts representing income tax deducted from the non-resident company's disregarded company income for the year of charge (see section 47I),".
3. For clause 20(a) of the Projet (printed at page 17 of the Brochure) substitute the following paragraph-
  - "(a) for "beneficially entitled to a dividend from which tax is authorised to be deducted under the provisions of section fifty-seven of this Law shall, on receiving the said dividend and" substitute "the beneficial member in respect of a distribution from which tax is required to be deducted under the provisions of sections 81B and 81BB, shall", and"
4. In section 62AB(2) of the Income Tax (Guernsey) Law, 1975 (inserted by clause 22 of the Projet and printed at page 19 of the Brochure) delete the words "(within the meaning of section 62D)".

5. In section 62D(1) of the Income Tax (Guernsey) Law, 1975 (inserted by clause 23 of the Projet and printed at page 26 of the Brochure) for the word “Chapter” substitute the word “Law”.
6. For clause 31(a) of the Projet (printed at page 41 of the Brochure) substitute the following paragraph –

"(a) for subsection (3) substitute the following –

"(3) Tax shall be deducted at -

(a) where the person to whom the distribution is made is an individual -

(i) where the income from which the distribution was made has been taxed or is taxable at the company standard rate, the individual standard rate,

(ii) where the income from which the distribution was made has been taxed or is taxable at the company intermediate rate, or where section 62A(6) applies, a rate equivalent to the difference between the company intermediate rate and the individual standard rate, and

(iii) where the income from which the distribution was made has been taxed or is taxable at the company higher rate, the company standard rate,

(b) where the person to whom the distribution is made is a company, the company standard rate."

## **PROJET DE LOI**

entitled

### **THE EVIDENCE IN CIVIL PROCEEDINGS (BAILIWICK OF GUERNSEY) LAW, 2007**

II.- To approve the Projet de Loi entitled “The Evidence in Civil Proceedings (Bailiwick of Guernsey) Law, 2007” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CRIMINAL JUSTICE (COMMUNITY SERVICE ORDERS)  
(BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2007**

III.- To approve the draft Ordinance entitled “The Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE DOCUMENT DUTY (AMENDMENT) (No. 2) ORDINANCE, 2007**

IV.- To approve the draft Ordinance entitled “The Document Duty (Amendment) (No. 2) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE ATTENDANCE AND INVALID CARE ALLOWANCES ORDINANCE,  
2007**

V.- To approve the draft Ordinance entitled “The Attendance and Invalid Care Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE FAMILY ALLOWANCES ORDINANCE, 2007**

VI.- To approve the draft Ordinance entitled “The Family Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY)  
(ANNUAL GRANT AND RATES) ORDINANCE, 2007**

VII.- To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Annual Grant and Rates) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT)  
(ANNUAL GRANT AND AMENDMENT) ORDINANCE, 2007**

VIII.- To approve the draft Ordinance entitled “The Health Service (Benefit) (Annual Grant and Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS  
AND BENEFITS, ETC.) (AMENDMENT) ORDINANCE, 2007**

IX.- To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)  
(AMENDMENT) ORDINANCE, 2007**

X.- To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

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

**THE SOCIAL INSURANCE (CLASSIFICATION) (AMENDMENT)  
(GUERNSEY) REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2007, made by the Social Security Department on 3<sup>rd</sup> October 2007 were laid before the States.

**THE SOCIAL INSURANCE (CONTRIBUTIONS) (AMENDMENT)  
REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Contributions) (Amendment) Regulations, 2007, made by the Social Security Department on 3<sup>rd</sup> October 2007 were laid before the States.

**K H TOUGH  
HER MAJESTY’S GREFFIER**

# IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 30<sup>th</sup> NOVEMBER, 2007

(Meeting adjourned from 29<sup>th</sup> November 2007)

**The States resolved as follows concerning Billet d'État No XXIV  
dated 9<sup>th</sup> November 2007**

## **TREASURY AND RESOURCES DEPARTMENT**

### STATES PROPERTY RATIONALISATION

XI.- After consideration of the Report dated 25<sup>th</sup> October, 2007, of the Treasury and Resources Department:-

1. To note the progress made on the Rationalisation Strategy to date as set out in that Report.
2. To approve the disposal by sale or lease, as set out in Section 2 of that Report, of:
  - (a) Vale Mill;
  - (b) Fort Richmond;
  - (c) Nelson Place.
3. To direct the Housing Department, in conjunction with the Treasury and Resources Department, to review all the issues, advantages and disadvantages of expanding the Open Market by inscribing States-owned properties and to report back to the States with their findings and any recommended policy changes by not later than September 2008.
- 4.(a) To direct that an Ordinance be prepared to enable the Housing Department to inscribe in Part A of the Housing Register by virtue of Section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 one dwelling only at Belvedere House, subject to the States-owned property known as "Longacre", Les Baissieres, St Peter Port, being deleted from Part A of the Housing Register.
- 4.(b) To agree that no other proposals to inscribe States-owned properties in Part A of the Housing Register shall be approved by the States until such time as the States have considered the aforementioned report from the Housing Department.
5. TO NEGATIVE THE PROPOSITION to direct that an Ordinance be prepared to suspend the provisions of Section 65(1) of the Housing (Control of Occupation) (Guernsey) Law, 1994 in relation to specified properties in the possession or ownership of the States of Guernsey, as set out in that Report.

6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **ENVIRONMENT DEPARTMENT**

### **WASTE ARISING, RECYCLING AND GROWTH**

XII.- After consideration of the Report dated 25<sup>th</sup> September, 2007, of the Environment Department:-

1. To endorse Waste Arisings as set out in Table 1 of that Report.
2. To endorse recycling as set out in section 10 of that Report.
3. To adopt 45,000 tonnes p.a. as a lower design plant capacity and 70,000 tonnes p.a. as an upper capacity, as set out in paragraph 14.7 of that Report.

## **HOUSE COMMITTEE**

### **STATES EMPLOYEES – POLITICAL ACTIVITIES**

XIII.- TO ADJOURN CONSIDERATION of this Article until the December sitting of the States.

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

# **IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 12<sup>th</sup> DECEMBER, 2007**

(Meeting adjourned from 30<sup>th</sup> November 2007)

**The States further resolved as follows concerning Billet d'État No XXIV  
dated 9<sup>th</sup> November 2007**

## **HOUSE COMMITTEE**

### **STATES EMPLOYEES – POLITICAL ACTIVITIES**

XIII.- After consideration of the report dated 15<sup>th</sup> October, 2007, of the House Committee:-

That paragraph 4 of Rule 11 of the Constitution and Operation of States Departments and Committees, which is to come into force from 1<sup>st</sup> May, 2008, shall be further amended by substituting the words “States employees” for “Civil Servants”.

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