

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF JANUARY, 2002

The States resolved as follows concerning Billet d'Etat No. I  
dated 11th January, 2002

**PROJET DE LOI**

entitled

**THE REHABILITATION OF OFFENDERS (BAILIWICK OF GUERNSEY) LAW, 2002**

- I. To approve, subject to the following amendment, the Projet de Loi entitled "The Rehabilitation of Offenders, (Bailiwick of Guernsey) Law, 2002", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

AMENDMENT

In section 7(4)(b) of the Projet (printed on page 9 of the Brochure to the Billet) for the words "either or both of subsections (1) and (2) "substitute" any or all of the subsections (1), (2) and (3)".

**PROJET DE LOI**

entitled

**THE MARKET STREET (CLOSURE) (GUERNSEY) LAW, 2002**

- II. To approve the Projet de Loi entitled "The Market Street (Closure) (Guernsey) Law, 2002", and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE TRANSFRONTIER SHIPMENT OF WASTE ORDINANCE, 2002**

- III. To approve the draft Ordinance entitled "The Transfrontier Shipment of Waste Ordinance, 2002", and to direct the same shall have effect as an Ordinance of the States.

**THE GAMBLING (CASINO GAMING) ORDINANCE 2001  
(COMMENCEMENT) ORDINANCE, 2002**

- IV. To approve the draft Ordinance entitled "The Gambling (Casino Gaming) Ordinance, 2001 (Commencement) Ordinance, 2002, and to direct that the same shall have effect as an Ordinance of the States.

**THE MATRIMONIAL CAUSES (COSTS AND FEES) ORDINANCE, 2002**

- V. To approve the draft Ordinance entitled "The Matrimonial Causes (Costs and Fees) Ordinance, 2002, and to direct that the same shall have effect as an Ordinance of the States.

**STATES ADVISORY AND FINANCE COMMITTEE**

**GUERNSEY FINANCIAL SERVICES COMMISSION  
NEW MEMBER**

- VI. To re-elect Mr. Mel Carvill, FCA, ACII who has been nominated in that behalf by the States Advisory and Finance Committee, as an ordinary member of the Guernsey Financial Services Commission, with effect from 2nd February, 2002.

**STATES ADVISORY AND FINANCE COMMITTEE**

**COURT BAIL IN CRIMINAL PROCEEDINGS**

- VII. After consideration of the Report dated 20th December 2001, of the States Advisory and Finance Committee:-
1. To approve the enactment of legislation as set out in that Report with regard to Court bail in criminal proceedings.
  2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **STATES BOARD OF ADMINISTRATION**

### **TOWN ARSENAL – NEW CONTROL ROOM AND REFURBISHMENT OF FLATS**

VIII. After consideration of the Report dated the 29th November, 2001, of the States Board of Administration:-

1. To authorise the provision and equipping of a new Control Room for the Fire Brigade and the refurbishment/alteration of flats to provide five new flats at the Town Arsenal as detailed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £791,497.00 submitted by MGF Limited for the provision of that new Control Room; the renovation/alteration of the flats and the work to external areas and re-roofing.
3. To authorise the States Committee for Home Affairs to accept the tender in the sum of £64,900.00 submitted by Atlas Business Systems for the provision of a Command and Control System and the tender in the sum of £11,275.00 submitted by Xtel Communications for the provision of a Communications Recording System.
4. To vote the States Committee for Home Affairs a credit of £110,000.00 to cover the costs of providing the Command and Control System; the Communications Recording System; computer equipment; contingencies and final fitting out of that Control Room, which sum shall be charged to that Committee's allocation for capital expenditure.
5. To authorise the States Advisory and Finance Committee to increase the Revenue budget of the States Committee for Home Affairs from 2002 under the States Financial Procedures in consultation with that Committee as regards the additional costs set out in that Report.
6. To direct the States Advisory and Finance Committee to take account of such additional costs when recommending to the States revenue allocations for the States Committee for Home Affairs for 2003 and subsequent years.
7. To vote the States Committee for Home Affairs a credit of £212,489.75 to cover building works for that Control Room and demolitions, which sum shall be charged to that Committee's allocation for capital expenditure.
8. To vote the States Board of Administration a credit of £579,007.25 to cover the total cost of alterations and refurbishment to provide five flats; replacement of the roof covering over the flats and demolitions, which sum shall be charged to that Board's allocation for capital expenditure.

## STATES PROCEDURES AND CONSTITUTION COMMITTEE

### AMENDMENTS TO THE RULES OF PROCEDURE AND RESOLUTIONS REGARDING THE CONSTITUTION AND OPERATION OF STATES COMMITTEES

IX. After consideration of the Report dated 12th December, 2001, of the States Procedures and Constitution Committee:-

1. That the Rules of Procedure in and in relation to Assemblies of the States of Deliberation of the Island of Guernsey shall be amended:
  - (1) (a) to provide that the normal hours during which the States shall sit shall be 9.30 a.m. to 12.30 p.m. and 2.00 p.m. to 5.00 p.m.
    - (b) to provide that the President be given discretion to propose the extension of a sitting by not more than one hour (save in exceptional circumstances) if, in his opinion, the business or item can be concluded within that period and that such be put to the States for a vote without debate;
    - (c) to change the provisions of Rule 24(2) to the extent that meetings not concluded on the first Thursday shall be adjourned to the following day and, if a further adjournment is required, that it be to the second Wednesday next following;
  - (2) (a) to provide that once an amendment or sursis has been duly proposed and seconded, it shall be open to any member to request the President to ascertain whether there is sufficient support for it to be debated. this he will do by asking Members who support debate on the amendment or sursis to stand in their places; and if less than seven Members stand, the amendment or sursis will not be debated or put to a vote; otherwise debate on the amendment or sursis will continue in the normal way.
    - (b) Requests under this rule may only be made immediately after the amendment or sursis has been proposed and seconded, and before any further debate.
  - (3) to require that amendments moved pursuant to Rule 12(9) (other than an amendment moved pursuant to Rule 12(9)(b)(ii)) shall be submitted not less than five clear days excluding Saturdays, Sundays and Public Holidays before the day of the meeting;
  - (4) to provide that a Member may propose the closure of a debate on a substantive proposition, sursis or amendment and, if such proposition is supported by two-thirds or more of the Members present and voting, the debate shall be closed;
  - (5) to provide that no speeches shall be made in support of candidates in the election of Presidents and Members of States Committees where the number of candidates does not exceed the number of seats.

2. That the Constitution and Operation of States Committees prescribed by Resolution of the States of the 30th April, 1992, in pursuance of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and amended by section 11 (4) of the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993 and by Resolution of the States of the 25th November, 1992; 30th March, 1994; 26th July, 1995; 6th December, 1995; 31st July, 1996; 30th September, 1998; 20th January, 1999; 26th January, 2000 and 31st May, 2000 shall be further amended by the addition of further paragraphs as follows:

(a) "14.B Declaration of Financial Interest at Committee Meeting

- (1) A Member of a States Committee or sub-committee who (or whose spouse, any of whose infant children or any company in which he has a controlling interest on his own or their behalf) has a direct or special interest in the business under consideration by the Committee or the sub-committee shall, as soon as practicable, declare his interest and withdraw from the Committee or sub-committee meeting during the consideration of and voting on the matter concerned.
- (2) Every declaration made in pursuance of sub-paragraph (1) and the Member's subsequent withdrawal from the Committee or sub-committee meeting shall be recorded in the minutes of the meeting.";

(b) "14.C Sub-Committees

- (1) Any States Committee may, by resolution of the Committee, constitute such sub-committees as it deems appropriate and for such purposes as shall be specified in the said resolution, provided that a Committee shall remain responsible for any act done on behalf of the Committee by the sub-committee.
- (2) The membership of sub-committees shall be determined by resolution of the Committee but only members of the Committee shall be entitled to vote.
- (3) Persons who do not have a seat on the Committee may be members of sub-committees in an advisory/consultative capacity but shall not be entitled to vote.
- (4) The quorum of any sub-committee shall be the nearest whole number above one-half of the number of voting members (which for this purpose includes the chairman) specified in that sub-committee's constitution.
- (5) The chairman of a sub-committee or in his absence the acting-chairman, shall have no vote except in the event that the voting members of the sub-committee are divided on any issue, in which case he shall have a casting vote.
- (6) A member of the established staff of the Civil Service shall be present at all sub-committee meetings and shall keep an independent record of the decisions made at meetings.";

(c) Paragraph 12 shall be amended as follows:

after the words "is not a sitting member of the States" insert "and the number of candidates exceeds the number of seats contested".

3. To direct the preparation of the necessary amendments to those Rules of Procedure.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31ST DAY OF JANUARY, 2002

The States resolved as follows concerning Billet d'Etat No. I dated 11th January, 2002

(Meeting adjourned from 30th January, 2002)

**STATES TRANSPORT BOARD**

**TRANSPORT LINKS – FINANCIAL CONCESSIONS**

- X. After consideration of the Report dated 14th December, 2001 of the States Transport Board :-
1. To approve the States Transport Board's request to enable it to consider and, where appropriate, to grant financial concessions to transport operators in order to strengthen its ability to achieve strategic objectives relating to the provision of external transport links.
  2. To approve an increase in the revenue expenditure budget of the States Transport Board by £650,000 for 2002.
  3. To direct the States Advisory and Finance Committee to take account of the costs of financial concessions when recommending to the States revenue allocations for the States Transport Board for 2003 and subsequent years.

***ORDINANCE LAID BEFORE THE STATES***

**THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2001**

In pursuance of the proviso to paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, as amended, the Health Service (Benefit) (Amendment) Ordinance, 2001 made by the States Legislation Committee on the 17th December, 2001, was laid before the States.

**STATUTORY INSTRUMENTS LAID BEFORE THE STATES**

**THE FINANCIAL SERVICES COMMISSION  
(FEES) (AMENDMENT) REGULATIONS, 2001**

In pursuance of the provisions of section 60(1)( c ) of the Banking Supervision (Bailiwick of Guernsey) Law, 1994, section 58 (2) of the Insurance Business (Bailiwick of Guernsey) Law, 1986 and section 21 (4) of the Protection of Investors (Bailiwick of Guernsey) Law, 1987, the Financial Services Commission (Fees) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001, were laid before the States.

**THE PROTECTED CELL COMPANIES (FEES FOR INSURERS) (AMENDMENT)  
REGULATIONS, 2001**

In pursuance of the provisions of section 58(2) of the Insurance Business (Guernsey) Law, 2001, as amended, the Protected Cell Companies (Fees for Insurers) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001, were laid before the States.

**THE INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND)  
REGULATIONS, 2001**

**THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND  
TAX-FREE LUMP SUMS) REGULATIONS, 2001**

In pursuance of the provisions of section 203 of the Income Tax (Guernsey) Law, 1975, as amended, the above Regulations made by the States Income Tax Authority on the 22nd November, 2001, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES)  
(AMENDMENT NO. 3) REGULATIONS, 2001**

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED  
SUBSTANCES) (AMENDMENT NO. 2) REGULATIONS, 2001**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, the above Regulations made by the Guernsey Social Security on the 31st December, 2001 were laid before the States.



### **THE BOARDING PERMITS FEES ORDER, 2001**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, the Boarding Permit Fees Order, 2001, made by the States Tourist Board on the 17th December, 2001, was laid before the States.

### **THE WATER CHARGES ORDER, 2001**

In pursuance of the provisions of Article 17(6) of the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the 7th May, 1927, as amended, the Water Charges Order, 2001, made by the States Water Board on the 20th December, 2001, was laid before the States.

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