

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF OCTOBER, 2002

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

PROJET DE LOI

entitled

THE HEALTH SERVICE (BENEFIT) (GUERNSEY) (AMENDMENT) LAW, 2002

- I. To approve the Projet de Loi entitled "The Health Service (Benefit) (Guernsey) (Amendment) 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 SOCIAL INSURANCE (RATES OF CONTRIBUTIONS AND BENEFITS, ETC.)
ORDINANCE, 2002**

- II. To approve the draft Ordinance entitled "The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE INSURANCE BUSINESS (BAILIWICK OF GUERNSEY) LAW, 2002
(COMMENCEMENT) ORDINANCE, 2002**

- III. To approve the draft Ordinance entitled "The Insurance Business (Bailiwick of Guernsey) Law, 2002 (Commencement) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE INSURANCE MANAGERS AND INSURANCE INTERMEDIARIES
(BAILIWICK OF GUERNSEY) LAW, 2002 (COMMENCEMENT) ORDINANCE, 2002**

- IV. To approve the draft Ordinance entitled "The Insurance Managers and Intermediaries (Bailiwick of Guernsey) Law, 2002 (Commencement) Ordinance, 2002" and to direct that the same shall have effect as an Ordinance of the States.

**THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY)
(AMENDMENT) LAW, 2002 (COMMENCEMENT) ORDINANCE, 2002**

- V. To approve the draft Ordinance entitled "The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2002 (Commencement) Ordinance, 2002" and to direct that the same shall have effect as an Ordinance of the States.

ELIZABETH COLLEGE BOARD OF DIRECTORS

NEW MEMBER

- VI. To elect Jurat D. M. Le Page as a member of the Elizabeth College Board of Directors, to complete the unexpired portion of the term of office of Advocate J. N. van Leuven, who has resigned as a member of that Board, namely, to the 5th January, 2004.

STATES LIBERATION CELEBRATIONS COMMITTEE

NEW MEMBER

- VII. To elect Mr. Barry Brehaut as a member of the States Liberation Celebrations Committee, who need not be a sitting member of the States, to complete the unexpired portion of the term of office of Mr. M. S. Lainé, who has resigned as a member of that Committee, namely, to the 31st May, 2003.

STATES ADVISORY AND FINANCE COMMITTEE

CHANGES TO COMPANY LAW

- VIII. After consideration of the Report dated 25th September, 2002 of the States Advisory and Finance Committee:-

TO GRANT LEAVE to the President of the States Advisory and Finance Committee to withdraw this Article.

STATES ADVISORY AND FINANCE COMMITTEE

AMENDMENTS TO REGULATORY LEGISLATION

- IX. After consideration of the Report dated 26th September, 2002 of the States Advisory and Finance Committee:-

1. That amendments to Regulatory Legislation shall be prepared as detailed in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES ADVISORY AND FINANCE COMMITTEE

REVIEW OF STATES OF GUERNSEY AUDIT ARRANGEMENTS

X. After consideration of the Report dated 22nd August, 2002 of the States Advisory and Finance Committee:-

1. That the membership of the States Audit Commission shall be 6 persons, all elected by the States from persons nominated by the States Advisory and Finance Committee who are not members of the States.
2. That members of the States Audit Commission shall be entitled to receive remuneration as determined by the States Advisory and Finance Committee from time to time.
3. To direct the preparation of such legislation as may be necessary to give effect to their decisions on Propositions 1. and 2. above.
4. To note the intention of the States Advisory and Finance Committee to report back as soon as possible on the results of its detailed investigations into the formation of an Auditor General's Office.
5. To approve the Statement of Rôle and Responsibilities of the Internal Audit Department as set out in Appendix II attached to that Report.

STATES ADVISORY AND FINANCE COMMITTEE

THIRTEENTH PROTOCOL TO THE EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

XI. After consideration of the Report dated 29th August, 2002 of the States Advisory and Finance Committee:-

That Her Majesty's Government be requested to make a declaration to extend the provisions of the 13th Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms to Guernsey.

STATES BOARD OF ADMINISTRATION AND STATES COMMITTEE FOR HOME AFFAIRS

DETENTION OF SUSPECTS WITHOUT CHARGE – PROVISION OF ANNUAL STATISTICS

XII. After consideration of the Joint Report dated 30th August, 2002 of the States Board of Administration and the States Committee for Home Affairs:-

1. To note the contents of that Report.
2. To NEGATIVE the Proposition that in future years statistics shall be provided in the form laid out in the schedule to that Report and issued as an appendix to the Billet.

STATES BOARD OF ADMINISTRATION

GUERNSEY AIRPORT – INSTALLATION OF MARITIME RADAR – ANGLO/FRENCH SAFETY OF NAVIGATION SCHEME

XIII. After consideration of the Report dated the 24th September, 2002, of the States Board of Administration:-

1. To approve the construction of a maritime radar installation at the States Airport by the French Authorities as set out in that Report.
2. To authorise the Board of Administration to lease to the French Authorities the area of land for a period of 25 years.

ISLAND DEVELOPMENT COMMITTEE

PROGRAMME FOR THE REVIEW OF THE DETAILED DEVELOPMENT PLANS – JOINT REVIEW OF RURAL AREA PLAN PHASES 1 AND 2

XVIII. After consideration of the Report dated 11th September, 2002, of the Island Development Committee:-

1. That the Rural Area Plan (Phase 1) and the Rural Area Plan (Phase 2) shall continue to have effect until the 31st December, 2003.
2. To note that in accordance with the Strategic and Corporate Plan (Strategic Land Use Plan) 2002, the majority of the Island's development needs have been provided for in the Urban Area Plan 2002 and the prevailing theme underlying the review of the Rural Area Plan will therefore be one of conservation and enhancement of the rural environment.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31ST DAY OF OCTOBER, 2002

(Meeting adjourned from the 30th October, 2002)

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

STATES BOARD OF ADMINISTRATION

EXTENSION AND ALTERATIONS TO THE ROYAL COURT

XIV. After consideration of the Report dated the 26th September, 2002, of the States Board of Administration:-

1. To agree to the extension of the courts as set out in that Report at a total cost not exceeding £17,500,000, including £3,000,000 voted in December 2000 (Billet d'Etat XXV, 2000).
2. To direct the States Board of Administration to proceed with HBG with Nicholas Hare Architects as the preferred architect-led design team and to negotiate terms between HBG and prospective contractors, subject to the approval of the States Advisory and Finance Committee.
3. To direct the States Board of Administration to issue tender documentation for a two-stage design and build contract to R G Falla Ltd, John Mowlem (Guernsey) Ltd, and Alfred McAlpine Special Projects within the maximum figure as outlined in that Report.
4. To instruct the States Board of Administration Board to appoint a main contractor for the above project from one of the three Companies named in proposition 3 above, under a two-stage design and build contract incorporating the design team, subject to the approval of the Advisory and Finance Committee.
5. To direct the States Board of Administration to appoint other professionals, to procure works, investigations and surveys, and to accept tenders and enter into any necessary contracts as may be necessary to execute this project, subject to the approval of the States Advisory and Finance Committee where appropriate.
6. To vote the States Board of Administration a credit of £14,500,000 to cover the cost of the above, which sum shall be charged to that Board's capital allocation;
7. To authorise the States Advisory and Finance Committee to transfer the sum of £14,500,000 from the Capital Reserve to the capital allocation of the States Board of Administration.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 1ST DAY OF NOVEMBER, 2002

(Meeting adjourned from the 31st October, 2002)

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

STATES EDUCATION COUNCIL AND STATES BOARD OF INDUSTRY

TRAINING AGENCY – FUTURE FUNDING

- XV. After consideration of the Joint Report dated the 13th September, 2002, of the States Education Council and the States Board of Industry:-
1. To continue to assist the funding of the Training Agency for the next three years by means of an annual grant and that, from 2003, such funding shall be made from the revenue expenditure budget of the States Board of Industry.
 2. That the annual grant shall be £365,000 in 2003 and that that sum shall be increased in line with the increase in States budgets generally for the subsequent two years.
 3. To authorise the States Board of Industry to submit a general revenue budget for 2003 that exceeds by £350,000 the cash limit approved by the States in July 2002 and to note that the general revenue budget of the States Advisory and Finance Committee will be decreased by £200,000, the current level of States grant.
 4. To direct the States Advisory and Finance Committee to take account of the annual grant to the Training Agency when recommending to the States revenue allocations for the States Board of Industry for 2004 and 2005.
 6. To note that the States Education Council and the States Board of Industry will return to the States with a joint policy letter before the end of 2003, reviewing the successes, aspirations and future costs of the Training Agency and the potential for integration of the work of the Business School and the Training Agency.

STATES BOARD OF INDUSTRY

REGULATION OF UTILITIES (BAILIWICK OF GUERNSEY) LAW, 2001 – FUNDING A COMPETITION FOR MOBILE TELEPHONY LICENCES

XVI. After consideration of the Report dated the 16th September, 2002, of the States Board of Industry:-

1. To advance a short-term loan to the Director General of Utility Regulation for the purposes of funding a competition for mobile telephony licences, as detailed in that Report.
2. To approve the terms and conditions for the granting and repayment of that loan to the Director General, as set out in section 5 of that Report.
3. To note that in the extreme event of one or more licences not being granted, the cost of holding the competition for mobile telephony licences will be met in full by the States.

STATES BOARD OF INDUSTRY

THE REGULATION OF UTILITIES (BAILIWICK OF GUERNSEY) LAW, 2001 – APPOINTMENT OF APPEALS PANEL

XVII. After consideration of the Report dated the 18th September, 2002, of the States Board of Industry:-

1. To approve the membership of the Utility Appeals Panel as set out in the Appendix to that Report.
2. To designate Professor Michael John Waterson as Chairman of the Utility Appeals Panel.
3. To designate Professor Martin Cave as Deputy Chairman of the Utility Appeals Panel.

STATES WATER BOARD

REVISION OF THE WATER BYE-LAWS

XIX. After consideration of the Report dated the 29th August, 2002, of the States Water Board:-

1. That the provisional Ordinance sanctioning the Bye-laws made by the States Water Board for the prevention of Waste, Undue Consumption, Misuse or Contamination of Water 1948, shall be repealed and a new Ordinance along the lines set out in that Report enacted.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES WATER BOARD

PROPOSED SALE OF BUNGALOW KNOWN AS "GREENHILL" SITUATED AT RUETTE DE LA TOUR, CASTEL

XX. After consideration of the Report dated the 20th September, 2002, of the States Water Board:-

1. To agree in principle that the property comprising a bungalow and garden known as "Greenhill" and an historic monument known as the Ozanne Tower be sold.
2. To authorise the States Advisory and Finance Committee to approve the final details of any sale under procedures for land and property transactions set out in Appendix X of the 1995 Policy Planning, Economic and Financial Report, notwithstanding that the agreed price exceeds £250,000.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27TH DAY OF NOVEMBER, 2002

(Meeting adjourned from 1st November, 2002)

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

STATES PROCEDURES AND CONSTITUTION COMMITTEE
IMPLEMENTATION OF MACHINERY OF GOVERNMENT REFORMS

XXI. After consideration of the Report dated the 25th September, 2002, of the States Procedures and Constitution Committee:-

1. (1) That the districts and number of seats available in each district for the purpose of elections to the office of People's Deputy shall, with effect from the 2004 General Election be as follows:

1.	St. Peter Port South	6
2.	St. Peter Port North	7
3.	St. Sampson	6
4.	The Vale	7
5.	The Castel	7
6.	West (comprising the parishes of St. Saviour, St. Pierre du Bois, Torteval and The Forest)	6
7.	South-East (comprising the parishes of St. Martin and St. Andrew)	6

- (2) That the boundary between the district of St. Peter Port South and St. Peter Port North shall be St. Julian's Avenue, College Street, The Grange, Les Gravées, de Beauvoir and Rohais;

- (3) That the islands of Herm and Jethou shall form part of the district of St. Peter Port South;

2. By a majority of more than two-thirds of the members present and voting, that the Reform (Guernsey) Law, 1948, as amended, and the Loi relative au Scrutin Secret of 1899, as amended, be further amended to provide

- (a) for the abolition of the office of Douzaine Representative;
- (b) for the appointment of a Deputy Returning Officer in multi-parish electoral districts;
- (c) that in multi-parish districts the counting of votes shall take place centrally and the number of votes cast in each of the constituent parishes shall not be announced;

- (d) that the titles of President of the States of Deliberation/Election, Deputy President of the States of Deliberation/Election and Acting President shall be changed respectively to Presiding Officer, Deputy Presiding Officer and Acting Presiding Officer;
 - (e) that the Presiding Officer, Deputy Presiding Officer or Acting Presiding Officer, as the case may be, shall have no casting vote and, other than in an election, a tied vote shall be declared lost;
 - (f) that the States be empowered to amend, by Ordinance, the provisions of the law relating to postal voting;
 - (g) that the States Procedures and Constitution Committee be empowered to make Rules relating to the conduct of elections and candidates;
 - (h) that the States be empowered to prescribe, by Ordinance, which matters relating to elections and candidates shall be referable to the Tribunals Service.
3. TO NEGATIVE the proposition that the Reform (Guernsey) Law, 1948, as amended, and the Loi relative au Scrutin Secret of 1899, as amended, be further amended to provide for the creation of the office of Parish Representative and that, so far as is possible, the provisions relating to the office and election of People's Deputy be applied to the office and election of Parish Representative.
4. By a unanimous decision, to direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

DOUZAINÉ REPRESENTATIVES IN THE STATES OF ELECTION

XXII. After consideration of the Report dated 25th September, 2002, of the States Procedures and Constitution Committee:-

TO GRANT LEAVE to the President of the States Procedures and Constitution Committee to withdraw this Article.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

PARISH ELECTIONS

XXIII. After consideration of the Report dated 25th September, 2002, of the States Procedures and Constitution Committee:-

1. By a unanimous decision, that the Reform (Guernsey) Law, 1948, as amended, shall be further amended to provide that all annual elections for the offices of Constable, Douzenier, Procureur of the Poor, Overseer of the Poor and Member of Schools Committee, be held throughout the Island on the first Wednesday of November or, if the first Wednesday of November, shall be the 5th November, on the first Tuesday of November, and, if a deferred ballot be requested, that it be held on the third Wednesday of November, save that the States be enabled to prescribe alternative dates by Ordinance.
2. By a unanimous decision, to direct the preparation of such legislation as may be necessary to give effect to their above decision

REQUÊTE

LEVONELLE/2

XXIV. After consideration of the Requête dated the 18th June, 2002 signed by Deputy Mrs. J. M. Beaugeard and sixteen other Members of the States:-

To direct the States Board of Health to place before the States, as part of that Board's current review of pharmaceutical legislation, proposals to allow recognised pharmacists to dispense Levonelle/2 without a doctor's prescription.

K. H. TOUGH
HER MAJESTY'S GREFFIER