

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

**ON THE 26TH DAY OF MARCH, 2003**

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**GUERNSEY SOCIAL SECURITY AUTHORITY**

**BENEFIT PAYMENTS UNDER LONG-TERM CARE INSURANCE LAW-  
EXEMPTION FROM INCOME TAX**

- I. After consideration of the Report dated the 14th February, 2003, of the Guernsey Social Security Authority:-
1. That any benefits payable under the Long-term Care Insurance (Guernsey) Law, 2002, shall be exempted under the Income Tax (Guernsey) Law, 1975.
  2. To approve the Projet de Loi entitled "The Income Tax (Long-term Care Benefit) (Guernsey) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.
  3. Considering it expedient in the public interest so to do, to declare, pursuant to section 1 of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992, that the said Projet de Loi shall take effect from the 7th April, 2003, as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

**STATES SEA FISHERIES COMMITTEE**

**IMPLEMENTING A FISHING VESSEL LICENSING REGIME FOR THE  
BAILIWICK OF GUERNSEY**

- II. After consideration of the Report dated the 7th February, 2003, of the States Sea Fisheries Committee:-
1. To approve, subject to the following amendments, the draft Ordinance entitled "The Sea Fish Licensing (Guernsey) (Ordinance), 2003", and to direct that the same shall have effect as an Ordinance of the States.

## AMENDMENT

1. For the preamble to the Ordinance (printed on page 4 of the Brochure to the Billet), substitute the following:-

"THE STATES, in pursuance of their Resolution of the 26th March, 2003, in exercise of the powers conferred on them by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994 and all other powers enabling them in that behalf, and for the purpose of implementing Council Regulation (EC) No. 3690/93 of the 20th December, 1993 and Council Regulation (EC) No. 2371/02 of the 20th December, 2002, hereby order:-"

2. For section 3 of the draft Ordinance (printed on pages 7 and 8 of the Brochure to the Billet), substitute the following:-

"Matters which may be taken into account.

3. In deciding whether or not to grant a licence the Committee may take into account any relevant factor, including (without limitation)-

- (a) the record of the applicant in fishing in British fishery limits adjacent to the Bailiwick during the period from the 30th September, 1991 to the 30th September, 1992 (both dates inclusive);
- (b) whether the vessel in respect of which the application is made is registered under Part IV of the Merchant Shipping Act 1894 or Part II of the Merchant Shipping Act 1995 or was so registered during any particular period; and
- (c) the terms of any fisheries management agreement for the time being in force and made between -
  - (i) the Committee of the one part; and
  - (ii) the Department for the Environment, Food and Rural Affairs, or the authorities of Jersey or of the Isle of Man of the other part".

3. For section 20(2) of the draft Ordinance (printed on page 29 of the Brochure to the Billet), substitute the following:-

"(2) Section 1 shall come into force on the day appointed by order of the Committee, not being earlier than the 1st October, 2003."

2. That the prohibition of fishing within the Bailiwick's 12-mile waters without a licence set out in section 1 of the Sea Fish Licensing (Guernsey) Ordinance 2003 shall be brought into force on the day appointed by order of the Committee, not being earlier than the 1st October, 2003.

## **PROJET DE LOI**

entitled

### **THE REFORM (GUERNSEY) (AMENDMENT) LAW, 2003**

- III. To approve the Projet de Loi entitled "The Reform (Guernsey) (Amendment) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

## **PROJET DE LOI**

entitled

### **THE MATRIMONIAL CAUSES (AMENDMENT) (GUERNSEY) LAW, 2003**

- IV. To approve the Projet de Loi entitled "The Matrimonial Causes (Amendment) (Guernsey) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

### **THE CONTROL OF BORROWING (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2003**

- V. To approve the draft Ordinance entitled "The Control of Borrowing (Bailiwick of Guernsey) (Amendment) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

### **THE FEUDAL DUES (GENERAL ABOLITION OF CONGÉ) (GUERNSEY) LAW, 2002 (COMMENCEMENT) ORDINANCE, 2003**

- VI. To approve the draft Ordinance entitled "The Feudal Dues (General Abolition of Congé) (Guernsey) Law, 2002 (Commencement) Ordinance, 2003, and to direct that the same shall have effect as an Ordinance of the States.

### **THE DOCUMENT DUTY ORDINANCE, 2003**

- VII. To approve the draft Ordinance entitled "The Document Duty Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

### **LONG-TERM CARE INSURANCE (GUERNSEY) (RATES AND TRANSITIONAL PROVISIONS) ORDINANCE, 2003**

- VIII. To approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT)  
ORDINANCE, 2003**

- IX. To approve the draft Ordinance entitled "The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2003, and to direct that the same shall have effect as an Ordinance of the States.

**PROJET DE LOI**

entitled

**THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY)  
(AMENDMENT) Law, 2003**

- X. To approve the Projet de Loi entitled "The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2003" and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**PROJET DE LOI**

entitled

**THE REGULATION OF FIDUCIARIES, ADMINISTRATION BUSINESSES  
AND COMPANY DIRECTORS, ETC (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

- XI. To approve the Projet de Loi entitled "The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) (Amendment) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**PROJET DE LOI**

entitled

**THE BANKING SUPERVISION (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

- XII. To approve the Projet de Loi entitled "The Banking Supervision (Bailiwick of Guernsey) (Amendment) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**PROJET DE LOI**

entitled

**THE PROTECTION OF INVESTORS (BAILIWICK OF GUERNSEY)  
(AMENDMENT) (NO.2) LAW, 2003**

- XIII. To approve the Projet de Loi entitled "The Protection of Investors (Bailiwick of Guernsey) (Amendment) (No. 2) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

## **STATES BOARD OF ADMINISTRATION**

### **AIRPORT FEES AND CHARGES 2003**

XIV. After consideration of the Report dated the 23rd January, 2003, of the States Board of Administration:-

1. To approve the adjustment of the security fee payable at Guernsey Airport with effect from 1st April, 2003, from £1.35 to £1.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
2. To approve the adjustment of the security fee payable at Alderney Airport with effect from 1st April, 2003, from £2.00 to £2.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
3. To approve the variation in the period which private aircraft with a maximum permissible take-off weight of less than 3 metric tonnes can remain parked at Guernsey Airport without incurring a fee from 72 hours to 24 hours.
4. To approve that fees and charges for the use of Guernsey Airport, other than that referred to in propositions 1. and 3. above with effect from 1st April, 2003, remain as set out in Appendix 1. to that Report.
5. To approve, as amended, that fees and charges for the use of Alderney Airport, other than that set out in proposition 2 above, with effect from 1st April, 2003, remain at present rates as set out in Appendix 2. to that Report.

## **STATES BOARD OF ADMINISTRATION**

### **ST SAMPSON'S MARINA TENDER SELECTION**

XV. After consideration of the Report dated 13th February, 2003, of the States Board of Administration:-

1. To reaffirm their approval for the construction and development of a Marina at St. Sampson's Harbour in the form proposed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £2,950,000 submitted by Miller and Baird for the marina development works, which sum shall include the cost of the remediation sub contract.
3. To approve the reclamation of the area of land situated to the east side of the Marine and General Shipyard, as proposed in that Report and shown for the purposes of identification at Appendix A to that Report, for the additional sum of £280,000 submitted by Miller and Baird.
4. To vote the States Board of Administration a credit of £3,400,000 (including a contingency sum of £170,000 for unforeseen additional works) to cover the cost of the above projects, which sum shall be charged as capital expenditure in the accounts of the Harbour of St. Sampson.

5.
  - (1) To approve the amendments to the Harbours Ordinance 1988 as set out in Appendix B to 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 27TH DAY OF MARCH, 2003

(Meeting adjourned from 26th March, 2003)

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**STATES HOUSING AUTHORITY**

**REVIEW OF THE RENT AND REBATE SCHEMES**

- XVII. After consideration of the Report dated the 20th February, 2003, of the States Housing Authority:-

To direct the States Housing Authority to report back to the States with firm proposals based on that Report, setting out new levels of States' rents and a revised rebate scheme, and a date for their implementation, taking into account the views expressed by the States, together with consultations undertaken by the Authority with its tenants and other interested parties.

**STATES HOUSING AUTHORITY**

**ANNUAL REVIEW OF STATES HOUSE RENTS AND REBATES**

- XVIII. After consideration of the Report dated the 20th February, 2003, of the States Housing Authority:-

1. That Standard Rents for States Houses be increased by 3.9% to the levels set out in Appendix 1 to that Report.
2. That the Principle Earner Rule be discontinued.
3. That the weekly charge to be added to the weekly assessed rent (but not so as to exceed the Standard Rent) for a non-dependent child of the householder aged 25 and over and for each lodger be increased from £13.62 to £20.00
4. That the other factors used to calculate a Rent Rebate be adjusted by 3.9% as set out in Appendices 3 and 4 to that Report.
5. That the gross income ceiling for eligibility for a Rent Rebate be increased to £431 per week.

6. That the States Resolution XIII of 30 April, 1992 be varied further so that Income Related Rents will not be applied to tenants whose joint gross incomes are under £651 per week as set out in that Report.
7. That all the above changes shall take effect from 3 May, 2003.

## **STATES INCOME TAX AUTHORITY**

### **INCOME TAX LAW AND HUMAN RIGHTS**

XIX. After consideration of the Report dated the 13th January, 2003, of the States Income Tax Authority:-

1. That the Income Tax (Guernsey) Law, 1975, as amended, shall be further amended as follows:-
  - (a) by the removal of the reference to "British subjects and residents in the United Kingdom or the other Channel Islands", currently contained in section 51 (2) with effect from the 1st January, 2004;
  - (b) by a revision to section 78(2) in respect of representation before the Guernsey Tax Tribunal or the Income Tax Authority;
  - (c) by a revision to section 68, to allow the Administrator to continue to request accounts certified by a suitably qualified accountant;
  - (d) by a review to section 188D, to allow an appeal against the Income Tax Authority's decision.
2. That section 24 of the Dwellings Profits Tax (Guernsey) Law, 1975, shall be amended to reflect the principle that anyone charged with a criminal offence shall be presumed innocent until proven guilty.
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **STATES RECREATION COMMITTEE**

### **THE FORMATION OF A GUERNSEY SPORTS COMMISSION**

XX. After consideration of the Report dated the 20th February, 2003, of the States Recreation Committee:-

1. To approve the setting up of the Guernsey Sports Commission as described in that Report
2. To approve in principle the delegation of the States Recreation Committee's powers as identified, and to the extent set out, in paragraphs 6.1 and 6.2 of that Report to the Guernsey Sports Commission.



3. To authorise the States Recreation Committee to provide to the Guernsey Sports Commission by way of grant, notional transfer or secondment the level of resources described in that Report for 2004 with a pro rata allocation for the period of operation in 2003.
4. To authorise the States Recreation Committee to determine the level of resources to be applied, from within its own resources, to the Guernsey Sports Commission for subsequent years.
5. To direct the States Advisory and Finance Committee to take due account of the above proposals when calculating and recommending to the States the States Recreation Committee's revenue expenditure limit for subsequent years.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28TH DAY OF MARCH, 2003

(Meeting adjourned from 27th March, 2003)

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**STATES BOARD OF ADMINISTRATION**

**PARKING IN ST. PETER PORT AND QUAYSIDE ENHANCEMENT**

XVI. After consideration of the Report dated 19th February, 2003, of the States Board of Administration:-

1. To approve in principle the provision of basement car parking at the Fish Quay (Albert Basin) along the lines of the concept scheme described in that Report, and subject to further consultations as outlined therein.
2. (1) To direct the States Board of Administration to seek, in consultation with the States Advisory and Finance Committee, Expressions of Interest from private sector investors/developers regarding that concept scheme, taking into account the findings and advice of the cross-committee working group, as described in proposition 3.  
  
(2) To direct the States Board of Administration to report back to the States of Deliberation with the results of that process, including Expressions of Interest, the scope of recommended works and associated quayside enhancements, together with details in respect of funding.
3. To direct the States Advisory and Finance Committee to convene and lead a cross-committee working group to include the States Board of Administration, States Traffic Committee, Island Development Committee, States Board of Industry, States Sea Fisheries Committee and others as appropriate, which group is to
  - consider issues under the various committee mandates represented in respect of the Fish Quay concept scheme and quayside enhancements
  - assist the States Board of Administration in its seeking Expressions of Interest, prior to its reporting back to the States of Deliberation.

4. To authorise the States Board of Administration to appoint consultants and commission investigations as necessary in respect of that project, subject to the approval of the States Advisory and Finance Committee.
5. To vote the States Board of Administration an additional credit of £500,000 to cover the costs of the above, which sum shall be charged to that Board's capital allocation.
6. To authorise the States Advisory and Finance Committee to transfer the sum of £500,000 from the Capital Reserve to the capital allocation of the States Board of Administration.

## **STATES TRAFFIC COMMITTEE**

### **INTEGRATED ROAD TRANSPORT STRATEGY**

XXI. After consideration of the Report dated the 20th February, 2003, of the States Traffic Committee:-

1. To approve that, as a matter of principle, the main objective of the States' road transport strategy shall be to reduce the level of car usage in the Island, in particular by encouraging the use of alternative forms of transport, discouraging unnecessary car travel and promoting more responsible use of the car.
2. To approve the States Traffic Committee's intention to continue improving the scheduled bus service levels and the associated network infrastructure, as set out in section 4.2.1 of that Report.
3. To direct the States Traffic Committee to return to the States in due course with proposals for the provision of free school bus travel for all pupils.
4. To approve the States Traffic Committee's intention to undertake a comprehensive review of the opportunities to improve the Island's park-and-ride infrastructure, including the introduction of new sites and services, and to report back to the States with the results of that review in due course.
5. To approve the introduction of pay parking in the long-stay parking places at the Odeon, Salerie and North Beach car parks, as set out in section 5.2.1 of that Report.
6. To approve the introduction of pay parking in other on-street long-stay parking places in St. Peter Port, as set out in section 5.2.1 of that Report.
7. To enable the States, by Ordinance, to establish and review the applicable hourly rate or rates for pay parking.

8. To approve the States Traffic Committee's policies in respect of the construction of new public car parks, as set out in section 5.2.2 of that Report.
9. To approve the States Traffic Committee's proposals for the introduction of further on-street residents' parking schemes, as set out in section 5.2.3 of the Report.
10. To approve the States Traffic Committee's intention to develop proposals for the creation of off-street resident's parking facilities, as set out in section 5.2.3 of that Report.
11. To approve the States Traffic Committee's intentions in respect of motorcycle and cycle parking, car sharing, parking for the disabled and the management of the disc and approved parking systems, as set out in sections 5.2.4 to 5.2.7 of that Report.
12. To approve in principle that motor tax shall be abolished or reduced and that a corresponding increase in the tax on petrol and diesel sales should be introduced and to direct the States Advisory and Finance Committee to prepare detailed proposals in that respect as part of its future budget proposals, such detailed proposals also to include, however, consideration of raising revenue through any such tax to finance end of life vehicle disposal.
13. To approve the States Traffic Committee's intention to investigate the introduction of a register of driving instructors, as set out in section 7.1.1 of that Report and direct it to report back to the States with the results in due course.
14. To approve the States Traffic Committee's intention to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing and direct it to back to the States with the results in due course.
15. To approve the States Traffic Committee's intention to commission a comprehensive and strategic review of the Island's speed limits and direct it to report back to the States with the results in due course.
16. To approve the States Traffic Committee's intentions in respect of vulnerable road users, as set out in section 7.1.4 of that Report.
17. To approve the States Traffic Committee's intention to introduce an experiment to reduce and/or limit the traffic using Church Square.
18. To approve the States Traffic Committee's intention to develop proposals for a ban on the use of "bull bars" and direct it to report back to the States with these in due course.
19. To approve the States Traffic Committee's intention to develop proposals for the introduction of compulsory emission and noise tests for vehicles and to report back to the States with these in due course.
- 19A. To direct the States Traffic Committee to report back to the States as soon as possible with proposals for legislation requiring the display on all locally registered vehicles of appropriate certificates of third-party insurance.
20. To direct the States Advisory and Finance Committee, when recommending the States Traffic Committee's annual capital allocation and expenditure limit for its revenue budget, to take account of the States Traffic Committee's responsibilities and plans associated with the provision of further improvements to the scheduled bus services,

the provision of the necessary infrastructure for bus users, cyclists and motorcyclists, the provision and maintenance of pay parking systems and facilities, the introduction of traffic calming schemes and improvements for vulnerable road users and, where necessary, the appointment of traffic engineering consultants.

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

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

#### **THE BOARDING PERMITS FEES ORDER, 2003**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, the Boarding Permit Fees Order, 2003, made by the States Tourist Board on the 17th February, 2003 was laid before the States.

#### **THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED SUBSTANCES) (AMENDMENT) REGULATIONS, 2003**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey ) Law, 1990, the Health Service (Pharmaceutical Substances) (Restricted Substances) (Amendment) Regulations, 2003 made by the Guernsey Social Security Authority on the 21st February, 2003 were laid before the States.

K. H. TOUGH  
HER MAJESTY'S GREFFIER