



**XV
2012**

BILLET D'ÉTAT

WEDNESDAY 27th JUNE 2012

1. The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2012, p. 1799
2. The Child Protection (Amendment) (Guernsey) Ordinance, 2012, p. 1799
3. The Vehicular Traffic (Control of Parking on Certain States Land) (Amendment) Ordinance, 2012, p. 1799
4. The Offences (Fixed Penalties) (Guernsey) Law, 2009 (Commencement) Ordinance, 2012, p. 1799
5. The Criminal Justice (Minimum Terms for Sentences of Life Imprisonment) (Bailiwick of Guernsey) Law, 2011 (Commencement) Ordinance, 2012, p. 1800
6. States Review Committee – New Members, p. 1800
7. Home Department – Police Complaints Commission – Resignation of Ordinary Member, p. 1803

Ordinance laid before the States

The Iran (Restrictive Measures) (Guernsey) Ordinance, 2012, p. 1805

Statutory Instruments laid before the States

The Merchant Shipping (Prevention of Pollution: Substances Other than Oil) (Intervention) (Bailiwick of Guernsey) Order, 2012, p. 1805

The Social Insurance (Benefits) (Amendment) Regulations, 2012, p. 1805

The Income Tax (Loans to Participants) (Exemptions) (No. 3) (Amendment) Regulations, 2012, p. 1806

The Income Tax (Keeping of Records, etc) (Amendment) Regulations, 2012, p. 1806

APPENDICES

1. Policy Council – Guernsey Quarterly Inflation Bulletin, p. 1807

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 JUNE, 2012**, at 9.30am, to consider the items contained in this Billet d'État which have been submitted for debate.

R. J. COLLAS
Bailiff and Presiding Officer

The Royal Court House
Guernsey
18 May 2012

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT)
ORDINANCE, 2012**

The States are asked to decide:-

I.- Whether they are of the opinion to approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE CHILD PROTECTION (AMENDMENT) (GUERNSEY)
ORDINANCE, 2012**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Child Protection (Amendment) (Guernsey) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE VEHICULAR TRAFFIC (CONTROL OF PARKING ON CERTAIN
STATES LAND (AMENDMENT) ORDINANCE, 2012**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Vehicular Traffic (Control of Parking on Certain States Land) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE OFFENCES (FIXED PENALTIES) (GUERNSEY) LAW, 2009
(COMMENCEMENT) ORDINANCE, 2012**

The States are asked to decide:-

IV.- Whether they are of the opinion to approve the draft Ordinance entitled “The Offences (Fixed Penalties) (Guernsey) Law, 2009 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE CRIMINAL JUSTICE (MINIMUM TERMS FOR SENTENCES OF
LIFE IMPRISONMENT) (BAILIWICK OF GUERNSEY) LAW, 2011
(COMMENCEMENT) ORDINANCE, 2012**

The States are asked to decide:-

V.- Whether they are of the opinion to approve the draft Ordinance entitled “The Criminal Justice (Minimum Terms for Sentences of Life Imprisonment) (Bailiwick of Guernsey) Law, 2011 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

STATES REVIEW COMMITTEE

NEW MEMBERS

The States are asked:-

VI.- To elect

1. a Member of the Policy Council as a member of the States Review Committee.
2. two sitting Members of the States as members of that Committee.
3. two members of that Committee who are independent of the States.

(Explanatory Note:

At its meeting on 9th March 2012 (Billet d’État V), after consideration of a Requête dated 1st December 2011, signed by Deputy M.J Fallaize and twenty-two other Members of the States, the States resolved to:

1. **To direct that at their June, 2012 meeting, and in accordance with the provisions of Rule 18 of the Rules relating to the Constitution and Operation of States Departments and Committees, the States of Deliberation shall form the States Review Committee as a Special States Committee, the membership of which shall be:**
 - a) **The Chief Minister (as chairman);**
 - b) **One other member of the Policy Council;**
 - c) **The Chairman of the States Assembly and Constitution Committee;**

- d) Two sitting members of the States elected by the States of Deliberation; and
- e) Two persons independent of the States elected by the States of Deliberation.

2. That the mandate of the States Review Committee shall be:

“To examine the extent to which the structure and functions of the legislature and the government in Guernsey are capable of fulfilling expectations of good governance with reference in particular to the processes of developing, determining, co-ordinating, effecting and monitoring States’ policies, which shall include, but not necessarily be restricted to, consideration of:

- a) the membership, operation and effectiveness of the States of Deliberation;
- b) the membership, operation and effectiveness of States Departments and Committees;
- c) the roles and responsibilities of the States of Deliberation and States Departments and Committees in achieving an efficient and effective corporate policy planning and resource allocation process;
- d) the leadership, accountability, transparency and democratic responsiveness of the States of Deliberation and States Departments and Committees;

but which shall explicitly not include consideration of:

- e) the constitutional relationship between Guernsey and other Channel Islands, the United Kingdom, the European Union and other jurisdictions;

and, if considered necessary, to make recommendations on any reforms of the structure and functions of the legislature and the government in Guernsey which would be likely better to provide for the highest possible standards of good governance with reference in particular to the processes of developing, determining, co-ordinating, effecting and monitoring States’ policies.”

3. To direct that in 2013, and in accordance with the provisions of Rule 12 (4) of the Rules of Procedure of the States of Deliberation, the States Review Committee shall present a States Report setting out its examination of the extent to which the structure and functions of the legislature and the government in Guernsey are capable of fulfilling expectations of good governance and the general principles of any policy reforms of the structure and functions of the legislature and the government in Guernsey which it

considers necessary to provide for the highest possible standards of good governance.

- 4. To direct that in 2014 the States Review Committee shall present a States Report containing in detail any firm recommendations for reform of the structure and functions of the legislature and the government in Guernsey which it considers necessary to provide for the highest possible standards of good governance.**
- 5. To direct that both before and after the States Report referred to in Resolution 3 above the States Review Committee shall consult with, and take evidence from, the widest possible range of persons from among the membership of the States and the general public.**
- 6. To agree that the entitlement to remuneration which would normally attach to the chairmanship and membership of a Special States Committee shall not apply in the case of the States Review Committee.)**

HOME DEPARTMENT

POLICE COMPLAINTS COMMISSION – RESIGNATION OF ORDINARY MEMBER

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

26th April 2012

Dear Sir

1. Executive Summary

- 1.1 The purpose of this Report is for the States of Deliberation to note Mr Gavin St Pier's resignation as an ordinary member of the Police Complaints Commission.

2. Report

- 2.1 The Police Complaints Commission is established under the Police Complaints (Guernsey) Law, 2008 to provide independent oversight into the investigation of complaints made against the Police. The Commission consists of a Chairman and five ordinary members who are appointed by the States of Deliberation upon the recommendation of the Home Department.
- 2.2 Mr St Pier has tendered his resignation as an ordinary member of the Police Complaints Commission as of 1st May 2012, following his successful election as a People's Deputy for the district of St. Sampson. Mr St Pier was appointed as a Commissioner in January 2010 and the Home Department would like to take this opportunity to thank Mr St Pier for his service over this time.
- 2.3 Pursuant to paragraph 3(2) of Schedule 1 of the Police Complaints (Guernsey) Law, 2008, the Department must notify the States of a member's resignation at the earliest opportunity.

3. Recommendation

The States are asked to note the resignation of Mr Gavin St Pier as an ordinary member of the Police Complaints Commission.

Yours faithfully

G H Mahy
Minister

F Quin
Deputy Minister

J M Tasker

M S Laine

B N Kelly

A L Ozanne
(Non States Member)

(NB As there are no resource implications identified in the report, the Treasury and Resources Department has no comments to make.)

(NB The Policy Council has no comment on the report.)

The States are asked to decide:-

VII.- Whether, after consideration of the Report dated 26th April, 2012, of the Home Department, they are of the opinion to note the resignation of Mr Gavin St Pier as an ordinary member of the Police Complaints Commission.

ORDINANCE LAID BEFORE THE STATES

THE IRAN (RESTRICTIVE MEASURES) (GUERNSEY) ORDINANCE, 2012

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Iran (Restrictive Measures) (Guernsey) Ordinance, 2012, made by the Legislation Select Committee on the 4th April, 2012, is laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE MERCHANT SHIPPING (PREVENTION OF POLLUTION:
SUBSTANCES OTHER THAN OIL) (INTERVENTION) (BAILIWICK OF
GUERNSEY) ORDER, 2012.**

In pursuance of Section 289(1)(c) of The Merchant Shipping (Bailiwick of Guernsey) Law, 2002, The Merchant Shipping (Prevention of Pollution: Substances Other than Oil) (Intervention) (Bailiwick of Guernsey) Order, 2012, made by the Public Services Department on 26th January 2012, is laid before the States.

EXPLANATORY NOTE

This Order prescribes the substances other than oil, the threat of pollution from which (following a shipping casualty) triggers the Board's powers of intervention under section 144 of that Law.

The Order gives effect to the Protocol relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil 1973 ("the 1973 Protocol"). The substances are listed in the Schedule. They are the substances enumerated in the Annex to the 1973 Protocol as amended, most recently in 2002 and 2007.

**THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS,
2012**

In pursuance of Section 117 of The Social Insurance (Guernsey) Law, 1978, The Social Insurance (Benefits) (Amendment) Regulations, 2012 made by the Social Security Department on 29th March 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations, made under Section 64(4)(f) of the Social Insurance (Guernsey) Law, 1978 enable the Social Security Department to deduct, or authorise the deduction, from any sum payable by way of benefit any fee, cost or charge (including any bank charge) incurred by the Department, or by any other person or body, in connection with making payment of that sum including (without limitation) any transaction or other

charge incurred for the purpose of effecting the payment of that sum to a beneficiary who is currently resident outside Guernsey.

The Department has authorised its overseas banking provider to deduct transaction costs from benefit payments to overseas beneficiaries, with effect from 2nd April 2012, except where such a deduction is prohibited under the terms of any agreement with the government of any country outside Guernsey providing for reciprocity in social security matters.

These regulations came into operation on 2nd April 2012.

THE INCOME TAX (LOANS TO PARTICIPATORS) (EXEMPTIONS) (NO. 3) (AMENDMENT) REGULATIONS, 2012

In pursuance of Section 66A(4)(d) of the Income Tax (Guernsey) Law, 1975, as amended, The Income Tax (Loans to Participators) (Exemptions) (No. 3) (Amendment) Regulations, 2012, made by the Treasury and Resources Department on 20th March 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations amend regulation 4(1) of the Income Tax (Loans to Participators) (Exemptions) (No. 3) Regulations, 2008 by clarifying that the amount of tax deducted by a company in accordance with section 81B of the Law from a distribution of any of its undistributed income is not a qualifying loan for the purposes of section 66A of the Law and therefore tax is not payable by the company on that amount in accordance with section 66C. These Regulations come into operation on 27th June 2012.

THE INCOME TAX (KEEPING OF RECORDS, ETC) (AMENDMENT) REGULATIONS, 2012

In pursuance of Section 203 of the Income Tax (Guernsey) Law, 1975, as amended, The Income Tax (Keeping of Records, etc) (Amendment) Regulations, 2012, made by the Treasury and Resources Department on 28th February 2012, are laid before the States.

EXPLANATORY NOTE

These regulations, made pursuant to section 75P of the Income Tax (Guernsey) Law, 1975, amend the Income Tax (Keeping of Records, etc) Regulations, 2006 as to the records and other documents in respect of tax and liability to tax that must be made, maintained, kept and retained by taxpayers for the purposes of Part VIA of that Law ("information"). These Regulations come into operation on 1st July 2012.

Guernsey Quarterly Inflation Bulletin

31st March 2012 - 25th April 2012*



POLICY COUNCIL
THE STATES OF GUERNSEY

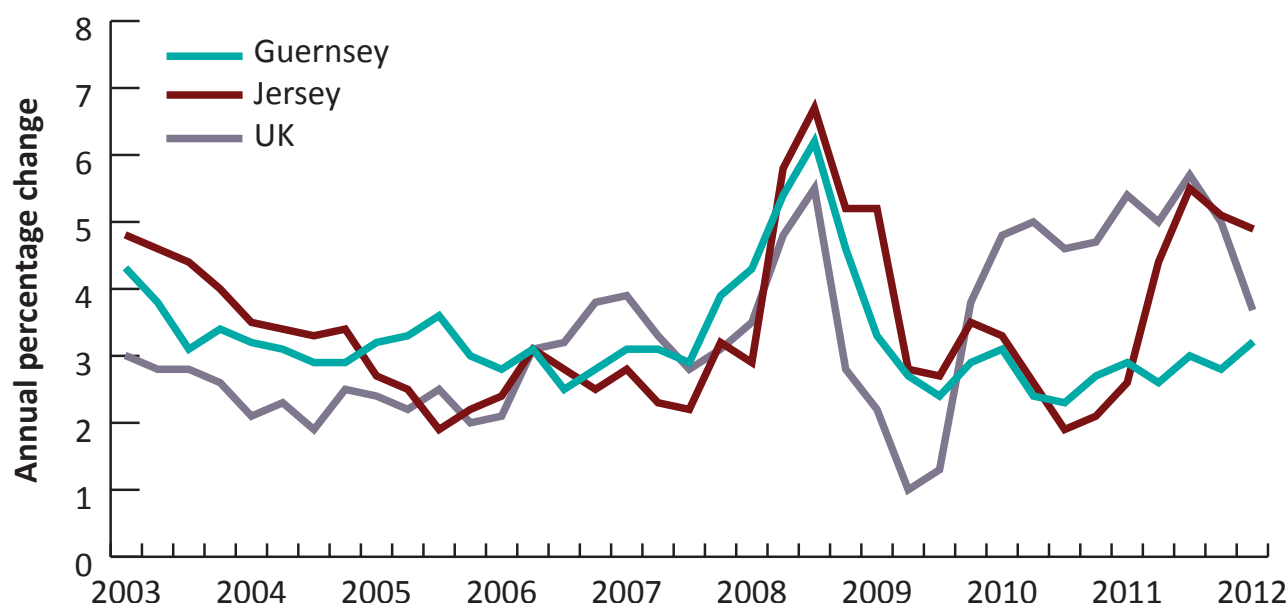
1.1 Introduction

The Guernsey RPIX and RPI are measures of inflation used in Guernsey. They measure the change in the prices of goods and services bought for the purpose of consumption or use by households in Guernsey. The indices are published quarterly by the States of Guernsey Policy and Research Unit. The calculation of the RPIX and RPI are based on the price change of items within a 'shopping basket'. Whilst some prices rise over time, others will fall or fluctuate and the indices represent the average change in these prices. More detailed information on the calculation of these indices can be found at the end of this handout.

1.2 Headlines

- Guernsey's annual inflation as measured by RPIX ('core' inflation excluding mortgage interest payments) was 3.2% in the year ending March 2012, compared to 2.8% in the year ending December 2011 and 2.9% in the year ending March 2011.
- In the UK and Jersey the equivalent RPIX figures for the year ending March 2012 were 3.7% and 4.9% respectively (see [Figure 1.2.1](#)).
- Eleven of the fourteen RPIX groups increased in the year ending March 2012.
- The housing group made the largest upward contribution to the annual change in RPIX in March 2012, contributing 0.8 percentage points.
- The 'all items' RPI inflation rate was 3.5% in the year ending March 2012, compared to 3.2% in the year ending December 2011 and 2.9% in the year ending March 2011.

Figure 1.2.1: Annual percentage change in RPIX



* This bulletin was originally published on Friday 20th April, it was subsequently amended to include the Jersey RPIX figures published on Wednesday 25th April 2012.