

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 12TH DAY OF NOVEMBER, 2014**

Adjourned from 31st October, 2014

**The States resolved as follows concerning Billet d'État No XXI
dated 19th September 2014**

THE PUBLIC HEALTH (AMENDMENT) ORDINANCE, 2014

- I.- To approve the draft Ordinance entitled “The Public Health (Amendment) Ordinance, 2014”, and to direct that the same shall have effect as an Ordinance of the States.

WASTEWATER CHARGES (GUERNSEY) ORDINANCE, 2014

- II.- To approve the draft Ordinance entitled “The Wastewater Charges (Guernsey) Ordinance, 2014”, and to direct that the same shall have effect as an Ordinance of the States.

ORDINANCE LAID BEFORE THE STATES

**THE RUSSIAN FEDERATION (RESTRICTIVE MEASURES) GUERNSEY
ORDINANCE, 2014**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Russian Federation (Restrictive Measures) (Guernsey) Ordinance, 2014 made by the Legislation Select Committee on the 1st August, 2014, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS)
(IMPLEMENTATION) (UNITED KINGDOM AND
UNITED STATES OF AMERICA) REGULATIONS, 2014**

In pursuance of Section 203 of the Income Tax (Guernsey) Law, 1975, as amended, The Income Tax (Approved International Agreements) (Implementation) (United Kingdom and United States of America) Regulations, 2014, made by the Treasury and Resources Department on 19th August 2014, were laid before the States.

**THE COMPANIES (RECOGNITION OF AUDITORS)
(AMENDMENT) REGULATIONS, 2014**

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, The Companies (Recognition of Auditors) (Amendment) Regulations, 2014, made by the Commerce and Employment Department on 15th July 2014, were laid before the States.

**THE AVIATION SECURITY (BAILIWICK OF GUERNSEY)
(AMENDMENT) DIRECTION, 2014**

In pursuance of section 178(4) of the Aviation (Bailiwick of Guernsey) Law, 2008 , (by sections 12(1), 13(1), 13A(1), 14(1A), 17(1), 24A and 38(6) of the Aviation Security Act 1982 and all other powers enabling it in that behalf), The Aviation Security (Bailiwick of Guernsey) (Amendment) Direction, 2014 made by the Commerce and Employment Department on 5th August 2014, was laid before the States.

**THE AIR NAVIGATION (BAILIWICK OF GUERNSEY) (RESTRICTION OF
FLYING) (SMALL AIRCRAFT) REGULATIONS, 2014**

In pursuance of section 151 (4) of Air Navigation (Bailiwick of Guernsey) Law, 2012, The Air Navigation (Bailiwick of Guernsey) (Restriction of Flying) (Small Aircraft) Regulations, 2014 made by the Director of Civil Aviation on 12th August 2014, were laid before the States.

**THE AIR NAVIGATION (RESTRICTION OF FLYING) (BAILIWICK OF
GUERNSEY) ALDERNEY ROYAL AERO CLUB AIR RACING
REGULATIONS, 2014**

In pursuance of 151 [(4)] section of Air Navigation (Bailiwick of Guernsey) Law, 2012, The Air Navigation (Restriction of Flying) (Bailiwick of Guernsey) Alderney Royal Aero Club Air Racing Regulations, 2014 made by the Acting Director of Civil Aviation - Commerce and Employment Department on 15th July 2014, were laid before the States.

**POLICY COUNCIL
CONSTITUTIONAL INVESTIGATION COMMITTEE**

**MEMBERSHIP OF THE CONSTITUTIONAL INVESTIGATION COMMITTEE
PROJECTS**

III.- After consideration of the Report dated 30th June, 2014, of the Policy Council and the Constitutional Investigation Committee:-

1. To agree that the membership of the Constitutional Investigation Committee shall

be:-

- The Chief Minister (as chairman);
- Five sitting members of the States elected by the States (one of whom the Committee shall elect as vice-chairman); and
- Two non-voting persons who are not sitting members of the States, elected by the States.

2. To elect Deputy P A Harwood as a member of the Committee.

TREASURY & RESOURCES DEPARTMENT

DOUBLE TAXATION ARRANGEMENT WITH THE PRINCIPALITY OF LIECHTENSTEIN

- IV.- After consideration of the Report dated 31st July, 2014, of the Treasury and Resources Department, to agree that the Agreement made with the Principality of Liechtenstein, as appended to that Report, has been made with a view to affording relief from double taxation, and that it is expedient that those double tax arrangements should have effect, so that the arrangements have effect in relation to income tax in accordance with section 172(1) of the Income Tax Law, 1975, as amended.

SOCIAL SECURITY DEPARTMENT

BENEFIT AND CONTRIBUTION RATES FOR 2015

- V.- After consideration of the Report dated 21st August, 2014, of of the Social Security Department -

1. To note that the Department intends to propose that the percentage contribution rate for employers be increased by 0.5%, from 6.5% to 7.0% from 1 January 2016, unless in its opinion the measures approved by the States following consideration of proposals arising from the Personal Tax, Pensions and Benefits Review are adequate to secure the long-term financial sustainability of the Guernsey Insurance Fund.
2. To note that in the event that the percentage contribution rate for employers is increased by 0.5% from 1 January 2016, the Department is also likely to propose that the grant from General Revenue to the Guernsey Insurance Fund be decreased from 15% to 14% of contribution income, from that date.
3. That, for employed persons and employers, the upper weekly earnings limit, the upper monthly earnings limit and the upper annual earnings limit, from 1 January 2015, shall be £2,601, £11,271 and £135,252 respectively.

4. That, for employed persons and employers, the lower weekly earnings limit and the lower monthly earnings limit, from 1 January 2015, shall be £131.00 and £567.67 respectively.
5. That, for self-employed persons, the upper and lower annual earnings limits, from 1 January 2015, shall be £135,252 and £6,812 per year respectively.
6. That, for non-employed persons, the upper and lower annual income limits, from 1 January 2015, shall be £135,252 per year and £17,030 per year, respectively.
7. That the allowance on income for non-employed people from 1 January 2015, shall be £7,223 per year.
8. That the voluntary contribution from 1 January 2015, shall be £18.67 per week for non-employed people.
9. That the overseas voluntary contribution from 1 January 2015, shall be £88.94 per week for non-employed people and £98.32 for self-employed people.
10. That, from 5 January 2015, the standard rates of pension and contributory social insurance benefits shall be increased to the rates set out in table 6 in this Report.
11. That, from 1 January 2015, the prescription charge per item of pharmaceutical benefit shall be £3.40.
12. That the Schedule to the Health Service (Specialist Medical Benefit) Ordinance, 1995 be amended, in order to allow the Social Security Department to fund the costs associated with the Primary Care Mental Health and Wellbeing Service from the Guernsey Health Service Fund.
13. That, from 5 January 2015, the contribution (co-payment) required to be made by the claimant of care benefit, under the long-term care insurance scheme, shall be £190.75 per week.
14. That, from 5 January 2015, nursing care benefit shall be a maximum of £789.11 per week for persons resident in a nursing home or the Guernsey Cheshire Home and residential care benefit shall be a maximum of £422.66 per week for persons resident in a residential home.
15. That, from 5 January 2015, elderly mentally infirm (EMI) care benefit shall be a maximum of £556.92 per week for qualifying persons resident in a residential home.
16. That, from 5 January 2015, respite care benefit shall be a maximum of £979.86 per week for persons receiving respite care in a nursing home or the Guernsey Cheshire Home, an elderly mental infirm rate of £747.67 for persons receiving

respite care in a residential home and a maximum of £613.41 per week for persons receiving respite care in a residential home.

17. That the Social Security Department be directed to report to the States of Deliberation after the conclusion of the Personal Tax Pensions and Benefits Review and the publication of the Supported Living and Aging Well Strategy, with proposals to achieve the long-term sustainability of the Long-term Care Insurance Fund.
18. That, from 9 January 2015, the supplementary benefit requirement rates shall be as set out in tables 15 and 16 of that Report.
19. That, from 9 January 2015, the weekly benefit limitations for supplementary benefit shall be:
 - (a) £600.00 for a person living in the community;
 - (b) £523.00 for a person who is residing in a residential home; and
 - (c) £750.00 for a person who is residing as a patient in a hospital, nursing home, the Guernsey Cheshire Home or as an elderly mental infirm resident of a residential home.
20. *[This proposition fell as proposition 19 was carried]*
21. That, from 9 January 2015, the amount of the personal allowance payable to persons in Guernsey and Alderney residential or nursing homes who are in receipt of supplementary benefit shall be £29.92 per week.
22. That, from 9 January 2015, the amount of the personal allowance payable to persons in UK hospitals or care homes who are in receipt of supplementary benefit shall be £50.40 per week.
23. That a supplementary fuel allowance of £30.00 per week be paid to supplementary beneficiaries who are householders from 31 October 2014 to 30 April 2015.
24. That Section 6(1) of the Supplementary Benefit (Guernsey) Law, 1971, be amended to explicitly enable the payment of a series of payments.
25. That Section 6 of the Supplementary Benefit (Guernsey) Law, 1971 be amended to enable a grant of money made under subsection (1) to be subject to conditions as determined by the Social Security Department; and, in the event of failure to comply with any such conditions, recoverable as a civil debt due to the Social Security Department or by way of a deduction made from any benefit payable under or by virtue of the Supplementary Benefit (Guernsey) Law, 1971, or any other Law under or by virtue of which a benefit or payment administered by the Social Security Department is made or available.

26. That Section 6 of the Supplementary Benefit (Guernsey) Law, 1971 be amended to enable the Department to make a loan of money, repayable in accordance with the terms and conditions of the loan agreed with the Social Security Department; and, in the event of non-payment, or breach of any such terms and conditions, recoverable as a civil debt due to the Social Security Department.
27. That the decision to include a duty on claimants to use the rent allowance element of their supplementary benefit payment for the purpose of paying their rent/mortgage interest and to make it an offence not to do so, as set out as proposal number iii in table 2 of Appendix 3 of Billet d'État V of 2012, volume 1, which was approved by the States by Resolution 2 of Article VI of Billet d'État V of 2012, as one of a number of proposed legislative changes, be rescinded.
28. That, from 5 January 2015, the rates of severe disability benefit and carer's allowance and the annual income limits shall be as set out in table 18 of that Report.
29. That following conclusion of its review of the needs of beneficiaries of allowances under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2014 for whom accommodation or care services are provided at public expense, as described in paragraphs 222 to 224 of the Report, the Social Security Department shall report its findings to the States of Deliberation, by no later than 31 October 2015, together with any recommendations it may have for disqualifying such beneficiaries from entitlement or reducing allowances.
30. That the resolutions taken on Article X of Billet d'État No. XXII of 1997 shall be rescinded.
31. That, from 1 January 2015, the Home Department be authorised to make an annual grant to Safer LBG towards the running of the Guernsey Women's Refuge, of such amount as the Home Department may deem appropriate within its budget allocation for the Domestic Abuse Strategy.
32. That, from 1 January 2015, the Social Security Department be authorised to make an annual grant to the Guernsey Early Years Foundation, towards the running of Daisy Chain Pre-School, in the sum of £6,000 in 2015 and, in future years, of such amount as the Social Security Department may deem appropriate within its budget allocation for grants to charitable organisations.
33. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ENVIRONMENT DEPARTMENT

EXTENSION OF THE LOCAL PLANNING BRIEF FOR THE LEALE'S YARD MIXED USE REDEVELOPMENT AREA

- VI.- After consideration of the Report dated 8th August, 2014, of the Environment Department, to agree to the extension of the current Local Planning Brief for the Leale's Yard Mixed Use Redevelopment Area for a period of three years, with effect from 24th November 2014.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

STATES' MEETINGS - SIMULTANEOUS ELECTRONIC VOTING

- VII.- After consideration of the Report dated 20th August, 2014, of the States' Assembly & Constitution Committee, they are of the opinion:-
1. To amend the Rules of Procedure by inserting in Rule 14 after paragraph (1):

“(1A) A Member may only vote from his or her seat in the States' Chamber. Immediately before announcing his or her vote in a division (*appel nominal*), a Member of the States must switch on his or her microphone and switch it off again immediately after he or she has voted. ” .
 2. To continue the present system of voting during meetings of the States of Deliberation.

**J TORODE
HER MAJESTY'S GREFFIER**