

## **STATES OF DELIBERATION**

25<sup>th</sup> February, 2015

### **Billet d'État No. III Article 1**

#### **AMENDMENT**

Proposed by: Deputy E. G. Bebb  
Seconded by: Deputy P. A. Harwood

#### **Parochial Ecclesiastical Rates Review Committee**

#### **Projet de Loi entitled The Parochial Church Property (Guernsey) Law, 2015**

To delete clause 3 and re-number the following clauses accordingly and, in consequence thereof -

- (a) in clause 4(1) and 4(2)(a), delete "or 3"; and
- (b) in clause 17, delete the definitions of "the Church Hall", "the Community Centre" and "St Martin Community Centre".

#### **Explanatory Note**

The effect of this amendment is that St. Martin's Community Centre and Torteval Church Hall will remain in the ownership of the Rector and Churchwardens of the respective parishes rather than being transferred to the Constables of the respective parishes.

If this amendment is carried, consequential amendments will be prepared by the Law Officers and presented to the States of Deliberation before the *projet* is considered in its final form.

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25<sup>th</sup> February, 2015

### **Billet d'État No. III Article 1**

#### **AMENDMENT**

Proposed by: Deputy E. G. Bebb  
Seconded by: Deputy R. A. Perrot

#### **Parochial Ecclesiastical Rates Review Committee**

#### **Projet de Loi entitled The Parochial Church Property (Guernsey) Law, 2015**

To delete clause 6, 7 & 8 and re-number the following clauses accordingly and, in consequence thereof -

- (a) delete clause 13(1)(c)(ii);
- (b) in clause 13(1)(h), in inserted paragraph (bb), delete the words ", que le Conseil" to "en avance"; and
- (c) in clause 13(1)(h), delete inserted paragraph (cc).

#### **Explanatory Note**

The effect of this amendment would be to remove the requirement for the bureaucracy of management boards and maintain the current status.

If this amendment is carried, consequential amendments will be prepared by the Law Officers and presented to the States of Deliberation before the *projet* is considered in its final form.

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25<sup>th</sup> February, 2015

### **Billet d'État No. III Article 1**

#### **AMENDMENT**

Proposed by: Deputy E. G. Bebb  
Seconded by: Deputy R. A. Perrot

#### **Parochial Ecclesiastical Rates Review Committee**

#### **Projet de Loi entitled The Parochial Church Property (Guernsey) Law, 2015**

To delete clause 7(1)(d) and, in consequence thereof, to substitute the following clause 7 (4):

"(4) The quorum of a Management Board shall be three, which must include at least one member of each category described in subsection (1)(b) and (c)."

#### **Explanatory Note**

The effect of this amendment would be to remove the two ratepayers elected annually so as to have a management board no greater than five in number.

## **STATES OF DELIBERATION**

25<sup>th</sup> February 2015

### **Billet d'État No. III**

#### **AMENDMENT**

Proposed by: Deputy G A St Pier

Seconded by: Deputy J P Le Tocq

#### **Draft Projet de Loi**

#### **The Parochial Church Property (Guernsey) Law, 2015**

To insert a new clause 17 set out below and, in consequence –

- (a) re-number the current clauses 17 to 19 as clauses 18 to 20; and
- (b) insert in the arrangement of sections "17. Non-payment of ecclesiastical element of parochial tax" and renumber clauses 17 to 19 as clauses 18 to 20.

#### **"Non-payment of ecclesiastical element of parochial tax."**

**17** (1) This section shall have effect notwithstanding the provisions of the Law of 1923 and section 2(1) of the Parochial Taxation and Voting Law, and for the purposes of this section -

"**benefit**" means any direct benefit, including the proceeds of sale of a building or land,

"**Ecclesiastical meeting**" means a ratepayers meeting convened in relation to ecclesiastical matters as defined in Article 3 of the *Loi relative aux Assemblées Paroissiales*,

"**Secular meeting**" means a meeting convened in relation to secular matters as defined in Article 4 of the *Loi relative aux Assemblées Paroissiales*.

(2) A person required to pay tax to a parish in accordance with the Law of 1923 may notify a Constable of that parish in writing that that person will not pay the part of a tax which represents the sum voted by an Ecclesiastical meeting.

(3) A notification under subsection (2) -

- (a) must be given no less than 6 months before an Ecclesiastical meeting at which the relevant sum will be considered, and
- (b) will be valid until that person gives a Constable of the parish a revocation in writing of that notification.

(4) Where a person has given a notification under subsection (2), that person may not -

- (a) vote -
  - (i) on any matter at an Ecclesiastical meeting (including, for the avoidance of doubt, in relation to the glebe land of the parish), or
  - (ii) on any matter in relation to the rectory of the parish at a Secular meeting,
- (b) be elected as a member of a Management Board, or
- (c) receive any benefit from the sale, lease or other use of the rectory or glebe land,

in respect of any financial year of a parish that the notification is valid.

(5) Where a person has given a notification under subsection (2), no suit shall be instituted or proceedings taken in any court to enforce or compel the payment by that person of the part of a tax which represents the sum voted by an Ecclesiastical meeting while notification is valid."