

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 24th DAY OF NOVEMBER, 2015**

**The States resolved as follows concerning Billet d'État No XX
dated 16th October 2015**

**THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS AND BENEFITS,
ETC.) ORDINANCE, 2015**

I.- To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, Etc.) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2015

II.- To approve the draft Ordinance entitled “The Health Service (Benefit) (Amendment) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY) (RATES) ORDINANCE,
2015**

III.- To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT)
ORDINANCE, 2015**

IV.- To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE
ORDINANCE, 2015**

V.- To approve the draft Ordinance entitled “The Severe Disability Benefit and Carer's Allowance Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE REGULATION OF HEALTH PROFESSIONS (MEDICAL
PRACTITIONER) (GUERNSEY AND ALDERNEY) (AMENDMENT)
ORDINANCE, 2015**

VI.- To approve, subject to the following amendment, the draft Ordinance entitled “The Regulation of Health Professions (Medical Practitioner) (Guernsey and Alderney) (Amendment) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

Amendment

To insert the following clauses –

- "8A.** In section 10 of the principal Ordinance –
- (a) in subsection (6) –
 - (i) insert "and" after the comma at the end of paragraph (b),
 - (ii) in paragraph (c), for ", and" substitute a full stop, and
 - (iii) repeal paragraph (d), and
 - (b) for subsection (7), substitute the following subsection –

"(7) A person appointed as a responsible officer must not continue in that office if the General Medical Council has not approved the person for that role within a period of 6 months following the appointment."

8B. In section 11 of the principal Ordinance, for subsection (3), substitute the following subsection –

"(3) The terms and conditions of the appointment of a responsible officer under section 10 are as agreed between the Policy Council and the responsible officer, but no term or condition is to be inconsistent with any provision of Schedule 1 or any other provision of this Ordinance." "

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND TAX-FREE
LUMP SUMS) (AMENDMENT) REGULATIONS, 2015**

In pursuance of Section 203 of The Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Pensions) (Contribution Limits and Tax-free Lump Sums) (Amendment) Regulations, 2015”, made by the Treasury and Resources Department on 18th August 2015, were laid before the States.

**THE COMPANIES (STANDARD ARTICLES OF INCORPORATION)
REGULATIONS, 2015**

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Standard Articles of Incorporation) Regulations, 2015”, made by the Commerce and Employment Department on 3rd September 2015, were laid before the States.

**THE COMPANIES (DIRECTORS' REPORT EXEMPTIONS) REGULATIONS,
2015**

In pursuance of section 537 of The Companies (Guernsey) Law, 2008, “The Companies (Directors' Report Exemptions) Regulations, 2015”, made by the Commerce and Employment Department on 3rd September 2015, were laid before the States.

**THE COMPANIES (REGISTRAR) (FEES FOR MIGRATIONS)
REGULATIONS, 2015**

In pursuance of section 537 of The Companies (Guernsey) Law, 2008, “The Companies (Registrar) (Fees for Migrations) Regulations, 2015” made by the Registrar of Companies on 3rd September 2015, were laid before the States.

**THE INSIDER DEALING (SECURITIES AND REGULATED MARKETS)
(AMENDMENT) ORDER, 2015**

In pursuance of section 19(3) of The Company Securities (Insider Dealing) (Bailiwick of Guernsey) Law, 1996, “The Insider Dealing (Securities and Regulated Markets) (Amendment) Order, 2015”, made by the Commerce and Employment Department on 3rd September 2015, was laid before the States.

POLICY COUNCIL

UPDATE ON THE DISABILITY AND INCLUSION STRATEGY

VII.- After consideration of the Policy Letter dated 28th September, 2015, of the Policy Council:-

1. To note the update on the implementation of the Disability and Inclusion Strategy provided in that Policy Letter, and to direct the committee with responsibility for the Disability and Inclusion Strategy to report back to the States on the implementation of the strategy no later than November 2017.

2. To rescind Resolution 8 on Article IX of 27th November 2013, and to transfer lead responsibility to the Health and Social Services Department for the development, in conjunction with other States' departments, of policies and procedures for safeguarding vulnerable adults, having regard to those already in place for children.
3. To direct the Treasury and Resources Department, subject to its approval of appropriate business cases, to transfer to the Policy Council's Revenue Budget for 2016 and/or 2017 up to £180,000 from the Budget Reserve for the purpose of progressing the Disability and Inclusion Strategy.
4. To note that further requests for resources to facilitate delivery of the Disability and Inclusion Strategy will be forthcoming.

J TORODE

HER MAJESTY'S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 25th DAY OF NOVEMBER, 2015**

**The States resolved as follows concerning Billet d'État No XX
dated 16th October 2015**

HEALTH AND SOCIAL SERVICES DEPARTMENT

ARRANGEMENTS FOR SECONDARY HEALTHCARE FROM 1st JANUARY 2018

X.- After consideration of the Policy Letter dated 20th September, 2015, of the Health and Social Services Department:-

1. To endorse the intention of the Health and Social Services Department and Social Security Department, on behalf of the States of Guernsey, to enter into negotiations, and subject to those negotiations leading to an acceptable form of contract based on the seven objectives set out in paragraph 15(a) of that Policy Letter, delivering the key benefits of the redesigned contract set out in Part II of that Policy Letter, including a single governance model with an additional independent complaints process beyond the existing internal complaints process, and for the MSG to report on all complaints as part of that single governance model, with the direct and indirect costs of handling and investigating complaints to be borne by the Medical Specialist Group, and subject to the flexibility of future service delivery being agreed by the parties, enter into a rolling contract from year to year subject to the right for either the HSSD or MSG to give to the other party not less than five years notice to terminate the contract, with the termination to take effect on an anniversary of the commencement date of the new contract. By way of example, with the expected contract commencement date of 1st January 2018, the first notice option would be on or before the 31st December 2018 with an expiry date of 1st January 2024.
2. To approve the transfer of £174,000 in 2015 and £335,000 in 2016 from the Budget Reserve to revenue expenditure budget of the Health and Social Services Department to fund the project.
3. That if negotiations with Medical Specialist Group do not lead to an acceptable form of contract generally in accordance with the proposals contained in that Policy Letter, to endorse the intention of the Health and Social Services Department to proceed to set up the direct internal provision of secondary healthcare and to directly provide secondary healthcare by no later than 1st January 2018.

S. M. D. ROSS

HER MAJESTY'S SENIOR DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 26th DAY OF NOVEMBER, 2015**

**The States resolved as follows concerning Billet d'État No XX
dated 16th October 2015**

TREASURY AND RESOURCES DEPARTMENT

CABERNET LTD – RECAPITALISATION

XII.- After consideration of the Policy Letter dated 9th September, 2015, of the Treasury and Resources Department:-

1. To approve the establishment of a capital vote charged to the Capital Reserve to fund:
 - a) the recapitalisation of Cabernet Ltd in respect of cumulative losses of £19.9m up to 31st December, 2014;
 - b) the recapitalisation of Cabernet Ltd in respect of its forecast losses of £5.3m for the years 2015 to 2017;
 - c) the cost of the independent review undertaken by BDO set out in section 6.2 of that Policy Letter in the sum of £27,500.
2. To authorise the Treasury and Resources Department to provide short-term borrowing facilities to the Aurigny Group.
3. To direct the Treasury and Resources Department to report to the States of Deliberation with details of any short-term borrowing facilities provided to the Aurigny Group within six months of their provision, explaining the need for the facility.
4. That in order fully to realise its potential as the Bailiwick of Guernsey's airline and in accordance with two of the aims in the States' Strategic Plan agreed by the States in 2013 – namely '*to protect and improve the Island's economic future and the Island's unique cultural identity and rich heritage*' – serious consideration should be given to rebranding Aurigny Air Services to a name that clearly positions it as a Guernsey airline; and therefore to agree that by no later than February 2017 the States Trading Supervisory Board, after consultation with other relevant States' committees and the airline, shall lay before the States a Policy Letter setting out recommendations on whether or not a rebrand should take place and, if one is recommended, a timetable for its implementation that could coincide with 1 March 2018, which is the airline's 50th anniversary.
5. That in order fully to realise its potential as the Bailiwick of Guernsey's airline and in accordance with two of the aims in the States' Strategic Plan agreed by the States in 2013 – namely '*to protect and improve the quality of life of islanders and the Island's*

economic future – the States should clearly understand and approve Aurigny Air Services’ *raison d’être*; and therefore to agree that by no later than February 2017 the Policy and Resources Committee, after consultation with other relevant States’ committees and the airline, shall lay before the States a Policy Letter setting out recommendations to enable the States to agree the long-term strategic objectives for Aurigny Air Services, including but not limited to the establishment of criteria for maintaining and selecting routes, capacity and frequency and also including the adoption by the States and the airline of a revised approach which acknowledges that its success should be measured not just on its balance sheet but also on its social and economic contribution.

J TORODE

HER MAJESTY’S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 27th DAY OF NOVEMBER, 2015**

**The States resolved as follows concerning Billet d'État No XX
dated 16th October 2015**

POLICY COUNCIL and COMMERCE AND EMPLOYMENT DEPARTMENT

**AMENDMENT OF THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF
GUERNSEY) LAW, 1987**

VIII.- After consideration of the Policy Letter dated 24th August, 2015 of the Policy Council and Commerce and Employment Department:-

1. That the Financial Services Commission (Bailiwick of Guernsey) Law, 1987 be amended in order to:
 - (a) introduce new statutory primary objectives for the Guernsey Financial Services Commission as outlined in paragraph 3.4 of that Policy Letter;
 - (b) introduce new secondary matters to which the Guernsey Financial Services Commission must have regard as outlined in paragraph 4.2 of that Policy Letter;
 - (c) introduce the measures outlined in paragraphs 5.6 of that Policy Letter including removing the statutory cap on the number of Commissioners, amending their terms of office and increasing the compulsory retirement age of Commissioners;
 - (d) align the Chairman's term of office with that of his or her tenure as a Commissioner and introduce the ability to appoint a Commissioner to replace the Chairman for up to three years should the Chairman step down before the expiry of his or her term of office as outlined in paragraph 6.2 of that Policy Letter;
 - (e) introduce an enabling power to allow for the introduction of a regulatory decisions appeal mechanism by Ordinance at a later date as necessary as outlined in paragraph 7.3 of that Policy Letter; and
 - (f) introduce a statutory requirement for the Guernsey Services Financial Services Commission to maintain a complaints procedure as set out in section 8 of that Policy Letter.

2. To direct the preparation of such legislation as may be necessary so as to give effect to the above decisions, and of any necessary consequential, supplementary and transitional provisions not specified above, including, but not limited to, amendments to other legislation.

A. J. NICOLLE

HER MAJESTY'S DEPUTY GREFFIER