

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**THE MACHINERY OF GOVERNMENT (TRANSFER OF FUNCTIONS) ORDINANCE, 2025**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Machinery of Government (Transfer of Functions) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.

**EXPLANATORY MEMORANDUM**

This Ordinance transfers certain functions relating to housing from the Committee for the Environment & Infrastructure, the Committee for Employment & Social Security and the Policy & Resources Committee (together, "the Committees") to the new Committee for Housing. Schedule 1 sets out a list of enactments, and section 1 transfers the functions, rights and liabilities of the Committees arising from those enactments to the Committee for Housing. Section 2 amends all references to the Committees in those enactments to references to the Committee for Housing. Schedule 2 sets out other statutory amendments, and is given effect by section 3, and section 4 sets out savings and transitional provisions.



# **The Machinery of Government (Transfer of Functions)**

## **Ordinance, 2025**

**THE STATES**, in pursuance of their Resolution of the 23<sup>rd</sup> January, 2025<sup>a</sup>, and in exercise of the powers conferred on them by sections 1 and 3 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991<sup>b</sup>, and all other powers enabling them in that behalf, hereby order:-

### **Transfer of Functions.**

1. The functions, rights and liabilities of the Committee for the Environment & Infrastructure, the Committee for Employment & Social Security and the Policy & Resources Committee (together, "**the Committees**") arising under the enactments set out in Schedule 1 ("**the Relevant Enactments**") are transferred to and vested in the Committee for Housing.

### **Amendment of statutory references.**

2. For any reference in the Relevant Enactments to any of the Committees, however expressed, there is substituted a reference to the Committee for Housing.

### **Other statutory amendments.**

3. Schedule 2 (Other Amendments to Legislation) has effect.

### **Savings and transitional provisions.**

4. (1) Anything done before the date of commencement of this

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<sup>a</sup> Article I of Billet d'État No. I of 2025.

<sup>b</sup> Ordres en Conseil Vol. XXXIII, p. 478; this enactment has been amended.

Ordinance, or in the process of being done on that date, by or in relation to any of the Committees under the Relevant Enactments shall have effect as if done, or (as the case may be) may be continued, by or in relation to the Committee for Housing.

(2) Anything done before the date of commencement of this Ordinance, or in the process of being done on that date, by or in relation to the Committee for Employment & Social Security under the Rent Control (Guernsey) Law, 1976, the Rent Control Ordinance, 1976, or paragraph D of Part I or Part II of the Schedule to the Places of Recreation Ordinance, 1975 shall have effect as if done, or (as the case may be) may be continued, by or in relation to the Committee for Housing.

(3) Anything done by or in relation to the Committee for Employment & Social Security before the date of commencement of this Ordinance, or in the process of being done on that date, in respect of the processing, in connection with the allocation of housing or other residential accommodation, of "social assistance data" under and within the meaning of –

(a) Schedule 8 to the Data Protection (Bailiwick of Guernsey) Law, 2017, or

(b) Schedule 3 to the Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018,

shall have effect as if done, or (as the case may be) may be continued, by or in relation to the Committee for Housing.

(4) Anything done before the date of commencement of this Ordinance, or in the process of being done on that date, by or in relation to the Committee for Employment & Social Security in respect of "social housing" under and within the meaning of Schedule 1 to the Taxation of Real Property (Guernsey and

Alderney) Ordinance, 2007 shall have effect as if done, or (as the case may be) may be continued, by or in relation to the Committee for Housing.

**Power to amend Schedules by regulations.**

5. (1) The Policy & Resources Committee may, after consulting the Committee for the Environment & Infrastructure, the Committee for Employment & Social Security and the Committee for Housing, make regulations amending Schedule 1, Schedule 2 or both.

(2) Regulations under subsection (1) shall be laid before a meeting of the States as soon as possible after being made and shall, if at that meeting or the next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

**Citation.**

6. This Ordinance may be cited as the Machinery of Government (Transfer of Functions) Ordinance, 2025.

**Commencement.**

7. This Ordinance shall come into force on the 15<sup>th</sup> July, 2025.

## SCHEDULE 1

### Section 1.

#### THE RELEVANT ENACTMENTS

The Relevant Enactments are as follows:

1. Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025<sup>c</sup>
2. Land Planning and Development (Planning Covenants) Ordinance, 2011<sup>d</sup>
3. Open Market Housing Register (Guernsey) Law, 2016<sup>e</sup>
4. Real Property (Housing Schemes, Leaseholds and Miscellaneous Provisions) (Guernsey) Law, 2004<sup>f</sup>
5. Real Property (Housing Schemes and Miscellaneous Provisions) (Guernsey) Ordinance, 2006<sup>g</sup>

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<sup>c</sup> Ordinance No. X of 2025.

<sup>d</sup> Ordinance No. XXVI of 2011.

<sup>e</sup> Order in Council No. VII of 2016.

<sup>f</sup> Order in Council No. X of 2005; this enactment has been amended.

<sup>g</sup> Ordinance No. XIII of 2006; this enactment has been amended.

6. States Housing (Tenancies, Rent and Rebate Scheme) Guernsey Law, 2004<sup>h</sup>
7. States Housing (Termination of Tenancies) (Guernsey) Ordinance, 2005<sup>i</sup>
8. States Housing (Tribunal and Appeals) (Guernsey) Regulations, 2005<sup>j</sup>
9. States Housing (Statutory Tenancies) (Guernsey) Regulations, 2005<sup>k</sup>

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<sup>h</sup> Order in Council No. IV of 2005; this enactment has been amended.

<sup>i</sup> Ordinance No. III of 2005; this enactment has been amended.

<sup>j</sup> G.S.I. No. 8 of 2005; this enactment has been amended.

<sup>k</sup> G.S.I. No. 9 of 2005; this enactment has been amended.

## SCHEDULE 2

### Section 3.

#### OTHER AMENDMENTS TO LEGISLATION

##### **Civil Contingencies (Bailiwick of Guernsey) Law, 2012.**

1. (1) The Civil Contingencies (Bailiwick of Guernsey) Law, 2012<sup>l</sup> is amended as follows.

(2) In subsection (1) of section 25 (interpretation), in the appropriate alphabetical order insert –

""Committee for Housing" means the States of Guernsey Committee for Housing,".

(3) In Part II of Schedule 2 (Civil Protection), after item 20 ("Committee for Employment & Social Security") and before the cross-header "*Other*", insert –

"20A. Committee for Housing".

##### **Data Protection (Bailiwick of Guernsey) Law, 2017.**

2. (1) The Data Protection (Bailiwick of Guernsey) Law, 2017<sup>m</sup> is amended as follows.

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<sup>l</sup> Order in Council No. XIV of 2012; this enactment has been amended.

<sup>m</sup> Order in Council No. VI of 2018; this enactment has been amended.



(2) In paragraph 20 (interpretation) of Part IV of Schedule 8, in subparagraph (a) of the definition of "social assistance data" for "Committee for Employment & Social Security" substitute "Committee for Housing".

**Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003.**

3. (1) The Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003<sup>n</sup> is amended as follows.

(2) In Schedule 1 (applicable public authorities under Part II), after item 12 ("Committee for the Environment & Infrastructure") insert –

"12A. Committee for Housing".

**Rent Control (Guernsey) Law, 1976**

4. (1) The Rent Control (Guernsey) Law, 1976<sup>o</sup> is amended as follows.

(2) In section 22 (interpretation), in the definition of "the Committee" for "Committee for Employment & Social Security" substitute "Committee for Housing".

**Rent Control Ordinance, 1976**

5. (1) The Rent Control Ordinance, 1976<sup>p</sup> is amended as follows.

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<sup>n</sup> Order in Council No. XIV of 2012; this enactment has been amended.

<sup>o</sup> Order in Council Vol. XXVI, p. 31; this enactment has been amended.

<sup>p</sup> Recueil d'Ordonnances Tome XX, p. 405; this enactment has been amended.

(2) In section 9 (interpretation), in the definition of "the Committee" for "Committee for Employment & Social Security" substitute "Committee for Housing".

**Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018**

6. (1) The Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018<sup>q</sup> is amended as follows.

(2) In paragraph 20 (interpretation) of Schedule 3, in subparagraph (a) of the definition of "social assistance data" for "Committee for Employment & Social Security" substitute "Committee for Housing".

**Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007**

7. (1) The Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007<sup>r</sup> is amended as follows.

(2) In paragraph 1 (interpretation of Schedule 1) of Part III of Schedule 1, in the definition of "social housing" for "Committee for Employment & Social Security" substitute "Committee for Housing".

**Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Regulations, 2004.**

8. (1) The Regulation of Investigatory Powers (Prescription of Offices,

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<sup>q</sup> Ordinance No. XI of 2018; this enactment has been amended.

<sup>r</sup> Ordinance No. XXXIII of 2007; this enactment has been amended.

Ranks and Positions) Regulations, 2004<sup>s</sup> are amended as follows.

(2) In the table in Part II of the Schedule, in the row starting, in column (1), with the second entry in that column for "Committee for Employment & Social Security" –

- (a) in column (1), for "Committee for Employment & Social Security" substitute "Committee for Housing",
- (b) in column (2), for "Chief Officer" substitute "Senior Officer (Grade 3)", and
- (c) in column (3), delete "Director of Housing Control or Director of States Houses".

**Places of Recreation Ordinance, 1975.**

9. (1) The Places of Recreation Ordinance, 1975<sup>t</sup> is amended as follows.

(2) In subparagraph (iii) of paragraph D (places owned or administered by the States of Guernsey) of Part I of the Schedule –

- (i) for "Committee for Employment & Social Security" substitute "Committee for Housing", and

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<sup>s</sup> G.S.I. No. 22 of 2004; this enactment has been amended.

<sup>t</sup> Recueil d'Ordonnances Tome XX, p. 139; this enactment has been amended.

- (ii) delete the entries for "Grand Bouet Playground, La Rue des Pins, Grand Bouet, St. Peter Port." and "Rougeval Tunnel and surrounding land, St. Peter Port.".

(3) In subparagraph (iii) of paragraph D (places owned or administered by the States of Guernsey) of Part II of the Schedule –

- (i) for "Committee for Employment & Social Security" substitute "Committee for Housing", and
- (ii) delete the entries for "Grand Bouet Playground, La Rue des Pins, Grand Bouet, St. Peter Port." and "Rougeval Tunnel and surrounding land, St. Peter Port.".

(4) After subparagraph (iv) of paragraph D (places owned or administered by the States of Guernsey) of Part I of the Schedule insert –

*"(v) Places administered by the Policy & Resources Committee:*

Rougeval Tunnel and surrounding land, St. Peter Port.".

(5) After subparagraph (iv) of paragraph D (places owned or administered by the States of Guernsey) of Part II of the Schedule insert –

*"(v) Places administered by the Policy & Resources Committee:*

Rougeval Tunnel and surrounding land, St. Peter Port.".

**Public Health Ordinance, 1936.**

10. (1) The Public Health Ordinance, 1936<sup>u</sup> is amended as follows.

(2) In paragraph (b) of the Note to the Form of Notice prescribed in Schedule 1 (form of notice requiring abatement of nuisance) for "Committee for Employment & Social Security" substitute "Committee for Housing".

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<sup>u</sup> Recueil d'Ordonnances Tome VIII, p. 316; this enactment has been amended.