

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

**POLICY & RESOURCES COMMITTEE**

**REFORM TO THE SYSTEM FOR PUBLICATION OF OFFICIAL NOTICES AND  
ESTABLISHMENT OF THE GUERNSEY GAZETTE**

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled “Reform to the System for Publication of Official Notices and Establishment of the Guernsey Gazette” dated 27<sup>th</sup> September 2022, of the Policy & Resources Committee, they are of the opinion:-

1. To agree that there should be liberalisation of the market for publication of official notices to enable such notices to be published anywhere that is appropriate to suit the aim of the publication and reach the public affected.
2. To agree that the States of Guernsey should establish and operate an online Gazette in which official notices may be published.
3. To agree that any notice, document or information currently required by law to be published in La Gazette Officielle may be published anywhere that is appropriate to suit the aim of the publication and reach the public affected, including within the online Gazette.
4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.
5. To rescind Resolutions 2, 3 and 4 of 30<sup>th</sup> November 2011 relating to the Policy Letter entitled “States Official Gazette” dated 5<sup>th</sup> October, 2011.

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REFORM TO THE SYSTEM FOR PUBLICATION OF OFFICIAL NOTICES AND  
ESTABLISHMENT OF THE GUERNSEY GAZETTE

The Presiding Officer  
States of Guernsey  
Royal Court House  
St Peter Port

27<sup>th</sup> September, 2022

Dear Sir

**1. Executive Summary**

- 1.1. The Gazette Officielle formerly operated as a private business providing a public service in terms of notifications of certain official information. This was subsumed into the Guernsey Press in 1965. The States of Guernsey have historically legislated to provide that certain official notices continue to be required to be published in the Gazette Officielle and legislation provides that the Gazette Officielle is part of the Guernsey Press.
- 1.2. This legislative approach has been reviewed several times in recent years to find a solution that suits modern communications methods. The Policy & Resources Committee (“the Committee”) is of the view that the approach for publication of official notices should be liberalised. This will enable such notices to be published anywhere that is appropriate to suit the aim of the publication and reach the public affected. Also, that the States of Guernsey should establish their own official gazette to be named “the Guernsey Gazette” (as a new webpage to be incorporated into the [www.gov.gg](http://www.gov.gg) platform in the future) for the publication of notices issued by the States and Douzaines, as well as making this facility open to external publishers. Under the proposals, the Gazette Officielle will remain the property of the Guernsey Press and can continue to publish official notices but it will no longer operate under the monopoly created by the current domestic legislation.
- 1.3. The new approach will ensure that notices are publicly available and accessible and that the approach to the publication of official notices can evolve over time with the development of new communication technologies.

## 2. Background

- 2.1. La Gazette Officielle is the primary means for the publication of official notices in Guernsey (meaning information required by law or custom to be made publicly available). La Gazette Officielle is currently published both in printed form in the Guernsey Press newspaper and also online by that company. However, the mechanism which was designed to meet the needs of the 19<sup>th</sup> Century is no longer entirely appropriate to meet Guernsey's community and commercial needs today and in the future. Appendix 1 to this Policy Letter sets out the history and outlines the recent States' decisions regarding this matter.
- 2.2. The States of Deliberation previously considered the subject of the publication of official notices in 2008 and 2011. In 2008<sup>1</sup>, the States approved the Policy Council's proposals to establish and maintain an online States' Official Gazette in which all official notices would be published. However, the Douzaines were not ready to move to an online system at that time and, therefore, this policy was not implemented. In 2011<sup>2</sup>, the States decided against progressing to establish an online States' model by rescinding the 2008 Resolutions and instead decided to preserve the status quo for official notices by continuing publication in La Gazette Officielle whilst at the same time reducing the length of such notices.
- 2.3. In 2019, the former Policy & Resources Committee reviewed the legislation drafted to implement the 2011 resolutions and decided that the legislation would have minimal impact in reforming this policy area and decided not to proceed with implementation of the legislation. The Committee instead confirmed its intention to establish an online States' Gazette, in a similar way to the 2008 position. However, due to the COVID-19 pandemic and workstreams relating to Brexit, this work was not progressed at that time.
- 2.4. In 2021, the Committee reviewed the policy options regarding the La Gazette Officielle and decided that the establishment of an online States operated Gazette was now appropriate in order to modernise the system for publishing official notices in Guernsey and to provide a cost-effective digital alternative to La Gazette Officielle. The Committee has also reviewed the extant 2011 resolutions as part of the Government Work Plan and held in abeyance the resultant drafting of legislation while the alternative approach was developed.
- 2.5. The Committee is of the view that in order to reform this area and achieve a more cost effective, efficient and accessible approach to communications for

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<sup>1</sup> ["States Official Gazette", Billet d'État No II of 27th February 2008](#) and [Resolutions of 27th February 2008](#)

<sup>2</sup> ["States Official Gazette", Billet d'État XIX of 30th November 2011](#) and [Resolutions of 30th November 2011](#)

official notices, the marketplace for these notices should be liberalised. This will remove the monopoly created by the current regime. In order to introduce these changes, existing legislation will be amended so that any notice, document or information currently required by legislation to be published in La Gazette Officielle could instead be published anywhere appropriate to suit the aim of the publication and reach the public affected. The proposals would not change the option for publishers to continue to publish official notices in La Gazette Officielle, which would remain a brand with the Guernsey Press.

- 2.6. The States would establish their own online gazette, to be named the Guernsey Gazette, for the publication of their notices. The service could also be used by other external publishers, including the Douzaines.
- 2.7. As currently, where there is no legal requirement to publish a notice in a particular place, including La Gazette Officielle, publishers can determine where to publish notices, in accordance with custom, practice or by exercising discretion and using the most appropriate publication methods to communicate the information to those affected.

### **3. The case for change**

- 3.1. There are a number of reasons to support the establishment of an online States' Gazette at this time, including to recognise the increase in digitalised services and internet access in the community; to reduce publication costs; and also to expand the choice of options available for publishers.
- 3.2. Growth in internet usage - The policy to establish an online States' Gazette as an alternative to the printed copy is consistent with increased online usage across the Bailiwick, with significant growth in usage particularly in recent years. In 2022, over 86% of Guernsey's population has internet access, an increase of 2.1 % from 2021,<sup>3</sup> and a significant increase from 70% of the adult population with access when the establishment of an online States' Gazette was approved by the States in 2008. Latest data in Guernsey suggests that internet usage and internet access has continued to increase, particularly during the COVID-19 pandemic when a greater proportion of the population became dependent on accessing services online. It is likely that this pattern of growth will continue in the future, as more services are delivered online and the population becomes increasingly familiar with accessing services digitally.
- 3.3. Digitising services wherever possible was a key component of Guernsey's Framework for Public Service Reform<sup>4</sup>, as agreed by the States in 2015.<sup>5</sup> Community feedback has also consistently clarified that islanders wish to access

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<sup>3</sup> [Digital 2021: Guernsey](#)

<sup>4</sup> [A Framework for Public Service Reform 2015-2025, Billet XVI of 21<sup>st</sup> August 2015](#)

<sup>5</sup> [Resolutions of 29th September 2015](#)

services online. This became the States' agreed policy when it approved the Future Digital Services programme in June 2019.<sup>6</sup> Communicating official notices via a specific section of the States of Guernsey website would ensure increased ease of access for the community, given the ever-increasing prominence of and desire for online services, supported by the roll-out of universal fibre provision over the next five years.

- 3.4. Initially, the Guernsey Gazette will be established as separate webpages that can be launched once the relevant law changes have been brought into force and, in the future, can be incorporated into the updated States of Guernsey website when available. The webpages for the Guernsey Gazette will enable publishers to submit notices electronically using both a prescribed format and template suitable for various forms of notice and those which have a statutory format. It will be logical that government and States Committees' notices are sited and accessible on the States' website. External users required to publish notices due to legal requirements will also be able to publish official notices online within the Guernsey' Gazette.
- 3.5. Costs for publishing notices - Publication costs vary depending on the number of notices that are published by particular organisations. Concerns have been expressed by some publishers regarding the costs for publishing notices in La Gazette Officielle. For example, legislation currently requires the parishes to publish a number of notices in La Gazette Officielle, including regarding elections and annual rates. The costs to the parishes for publishing such notices is approximately £60,000 each year. States' Committees collectively spend approximately £13,000 annually publishing notices in La Gazette Officielle. It is intended that the liberalisation of the market will lead to more competitive charges for placing notices.
- 3.6. The appropriateness of legislation directing publication with one company and the provision of choice - In terms of achieving fair competition and value for money, it no longer appears acceptable for the expenditure of public funds to be restricted by legislation to be spent with one private company for the purposes of communicating with interested third parties and the public. The current legislation provides a guaranteed revenue stream for the Guernsey Press created by a States of Guernsey-supported monopoly. A free and independent media is crucial to any democracy and the Committee's support for that principle remains absolute, with the Committee also recognising the importance of local media including a local newspaper. However, the Committee sees no strong case for the States to support the continuation of a policy that provides a monopoly to one company and supports the liberalisation of the market.

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<sup>6</sup> ["Future Digital Services"](#) Billet X of 2019 and [Resolutions of 12<sup>th</sup> June 2019](#)

- 3.7. The proposals will introduce increased choice for publishers, with options regarding format and price. This choice reflects feedback given by the Guernsey Bar in 2019 that it wished to continue to publish legal and company notices in La Gazette Officielle rather than moving to an online model. The Bar considered the accessibility to notices in a printed copy as important and necessary, particularly for those members of the community with limited internet access. As such, the current proposals have been developed to modernise this policy area and liberalise the market, by providing alternatives for the publisher to publish in the most appropriate manner, including by permitting the publication of official notices both in La Gazette Officielle and also in the Guernsey Gazette.
- 3.8. Constructive notice - While consulting on the proposals in 2019 to establish a States online model to replace La Gazette Officielle, the Committee received feedback from the Scrutiny Management Committee seeking reassurance regarding the doctrine of constructive notice. This doctrine is a legal principle in English Law according to which, in certain circumstances, a party is deemed to have notice of a legal action of which there is an official public record of the matter even if the party does not in fact have actual knowledge. For example, in company law, all parties are deemed to have knowledge of a company's articles of association as these are publicly accessible documents. The Committee is satisfied that if advised that it is necessary or desirable, constructive notice can be dealt with by suitable express provision in the implementing legislation. In any event, now that the policy set out in this Policy Letter enables the continued publication of official notices in La Gazette Officielle, this issue is unlikely to be of concern.
- 3.9. Publishing official notices online in other jurisdictions and publications - There is support for the introduction of an online Gazette by the steps taken in neighbouring jurisdictions. In Jersey, legislation<sup>7</sup> introduced in 2018 requires the publication of official notices online at [www.gov.je/gazette](http://www.gov.je/gazette) rather than in a local newspaper. The objective of the legislation was to improve communications with the public and save money and followed two years of the online model operating alongside the publication of notices in the newspaper. However, parishes, government departments and other organisations can additionally advertise in printed and online publications as they see fit in order to best communicate the information with the public. Printed copies of any notice are also available on request. The States of Jersey has not reported any negative consequences to date following the move to online notices.
- 3.10. Future Proofing - The channels of communication available and use of technology has changed dramatically since the turn of the century. The liberalisation of the market for the publication of official notices will ensure that

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<sup>7</sup> [Official Publications \(Publication of Jersey Gazette\) \(Jersey\) Order, 2018](#)

practice can evolve with the marketplace, technology and the demands of the community.

#### **4. Legislative requirements**

- 4.1. In order to introduce these changes, amendments will be made to existing legislation by the drafting of a Projet de Loi.
- 4.2. It is proposed that a review of existing notices required by law to be published in La Gazette Officielle should be undertaken to ensure that any provisions specifying publication in La Gazette Officielle (and the Guernsey Gazette in due course) make sense in policy terms for the subject area. This will then enable existing provisions to be amended in time, as appropriate and necessary to remove such requirements is no longer necessary. For example, legislative requirements for the Douzaines to publish election notices in La Gazette Officielle could be amended, thereby enabling future publication of such notices on Douzaine websites and by displaying notices in the Douzaine building, to communicate information to those affected using effective, flexible and economical methods.

#### **5. Impact on resources**

- 5.1. The Committee is aware that some notices in La Gazette Officielle are published, not because there is a legal requirement to do so, but rather because it has become custom or practice to do so. The intention of the Committee's proposals is for the Guernsey Gazette to only be used to publish notices where there is a statutory requirement for publication. It is expected this will limit the impact of the changes upon States' resources.
- 5.2. Including provision to enable charging for publishing notices in the Guernsey Gazette will reduce any significant impact on States' resources for establishing and operating the Guernsey Gazette. Provision of support for users of the webpages can be provided within existing resources. The need for staff resources can be reduced by the use of technology placing the onus on the publisher to ensure accuracy and be responsible for the publication of their notices. Regardless of the use of technology, there may be some need to provide editorial monitoring or the approval of persons authorised to publish on the government website to ensure that the system was not open to abuse.
- 5.3. A quote of £15,000 has been provided for developing the webpages for establishment of the Guernsey Gazette, to be incorporated into the new States of Guernsey website in due course. This cost can be met within existing budgets.

## **6. Accessibility**

- 6.1. The launch and presence of the Guernsey Gazette will be regularly promoted via the States of Guernsey social media channels. This will include using social media to publicise notices that are of particular relevance for the community and to ensure increased accessibility. Once operational, the processes for using the Guernsey Gazette will be publicised by online and non-online communications and via social media.
- 6.2. As some members of the public may not have access to online services, steps will be taken to ensure accessibility to notices. A requirement will be included so that a paper copy of notices published within the Guernsey Gazette will be made available by the relevant publisher publishing on the webpages on request at no charge.
- 6.3. Once the Guernsey Gazette is fully operational, accessibility could also be increased by the implementation of good practice so that official notices are physically displayed in appropriate and accessible locations. For example, States' notices could be exhibited in a suitable States of Guernsey building and Douzaine notices displayed at the relevant Douzaine building. Over time, as the public becomes familiar with the Guernsey Gazette, with increased internet use and the new arrangements for publishing notices, the need for notices to continue to be physically displayed could be reviewed and may no longer be necessary. It is also proposed that the Guernsey Gazette will include a function to enable the public to subscribe to receive copies of published notices by email.
- 6.4. It is considered that the inclusion of the Guernsey Gazette will not introduce any onerous steps for any third parties searching notices, due to the functionality of the website and increased online access. It is likely that the community will benefit from the accessibility and ease of use when searching notices online. By way of example, it is considered that the digitalisation of the UK's Gazette has increased the accessibility to notices, which supports the position that moving to an online gazette should improve accessibility.

## **7. Consultation**

- 7.1. In 2019, the Committee consulted a wide range of stakeholders required by law to publish official notices regarding their use of the La Gazette Officielle and their views on the proposal to introduce an online Gazette. Consultation was also undertaken with the management of the Guernsey Press. The consultation exercise was not repeated in 2021-2, as the proposals have not changed significantly since that time and will continue to offer publishers an online model and increase publication options and choice. However, stakeholders have been updated on the current proposals and any changes in their positions considered in this Policy Letter.

- 7.2. States' Committees - Officers for States' Committees were consulted on behalf of the Committees they support. There was general agreement for the introduction of an online Gazette to increase flexibility and reduce publishing costs provided that any issues regarding accessibility were addressed. It was noted that, where there is no legal requirement to publish notices, Committees already used alternative methods to publicise information as an alternative to publishing in La Gazette Officielle, such as by use of mail shots to households; use of the States website; and by publishing information on social media.
- 7.3. The Douzaines - The Douzaines are currently required by law to publish a number of notices in La Gazette Officielle. The Committee's proposals were discussed at an Island Constables' meeting in October 2019. Constables from all the parishes were present other than those representing the Vale. A letter signed by the Torteval Constables on behalf of the Island Constables, stated the Douzaine's unanimous agreement to support the Committee's proposals to move to online publication of notices on the States of Guernsey's website. In addition to the formal publication of official notices on the States of Guernsey's website with hard copies available on request, individual parishes intended to publish their own notices on their parish websites and notice boards. Further updates on the progress of the policy have been provided to the Douzaines since 2019 and no information has been received to indicate that the proposals to include an online system are no longer supported. It is understood that the Douzaines will support any reforms that result in a reduction in the charges and that introduce flexibility to the system for publishing notices.
- 7.4. The Guernsey Bar - In 2019, the former Bâtonnier consulted with members of the Guernsey Bar and responded to confirm that La Gazette Officielle was used widely by its members, both in terms of fulfilling legal requirements but also for publication of notices by custom and practice. It was widely accepted that the cost of publishing in La Gazette Officielle was 'unnecessarily expensive and so a system which saw a reduction in this cost would be most welcome'. However, while the Bar generally supported the idea of online notices, the Bâtonnier stated that the 'overwhelming response I have received is concern about members of the public actually gaining notice of what is published online'. Members questioned how the public would know of any publication if it was published online only, unless they checked the States' online Gazette with regularity. The Bar confirmed that its preference at that time was to continue using the paper format of La Gazette Officielle to publish its notices. Under these proposals, the La Gazette Officielle would remain an option for the publication of notices, alongside the introduction of new options.
- 7.5. The Guernsey Press – The Guernsey Press has successfully operated the La Gazette Officielle since the last century providing an essential service for publishing notices and in providing permanent and searchable records. Since 2019, there has been close engagement with both the previous and current

management team at the Guernsey Press regarding the policy and impact of the proposals. The former Guernsey Press management was concerned that replacing La Gazette Officielle with a sole States' administered online model could impact negatively upon its business. The current management team at the Press has worked with the Committee to explore options, is aware of the Committee's reasons for its current proposals and its wish to modernise the options available. The Committee has agreed to keep the Guernsey Press updated regarding the implementation of the new model, in order that it can prepare for any impact the change may have on their business. Under the proposals detailed in this Policy Letter, publishers will be able to continue to publish notices in La Gazette Officielle if they wish to do so. It is understood that the Guernsey Press intends to continue to operate La Gazette Officielle in the future.

## **8. Conclusion and recommendation**

- 8.1. Given the change in landscape since the States of Deliberation last considered the publication of official notices in 2011 and the strong case for reforming this area, the Committee believes that steps should now be taken to liberalise the market and modernise and provide future resilience for this area. The Committee recommends that the Propositions are supported to enable these changes to be introduced.

## **9. Compliance with Rule 4**

- 9.1. Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 9.2. In accordance with Rule 4(1)(a), the changes proposed within this Policy Letter contribute to the States objectives and policy plans. In developing the Government Work Plan (GWP), the Committee reviewed all extant resolutions at Stage 1 of the GWP<sup>8</sup> to consider which Resolutions to recommend for recession/ prioritisation of legislation in Stage 2 of the Plan.<sup>9</sup> This included a review of the 2011 extant resolutions regarding the Gazette Officielle. The current iteration of the GWP, "the Government Work Plan 2022"<sup>10</sup> references the 2011 extant resolutions as being "at stage 4" in the schedule of legislation for drafting. This means that the draft legislation relating to the 2011 resolutions

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<sup>8</sup> Government Work Plan – Stage 1, [Billet d'État VI of 2021](#) and [Resolutions](#) of 26<sup>th</sup> March, 2021.

<sup>9</sup> Government Work Plan – Stage 2, [Billet d'État XV of 2021 at Annex 7 at page 252](#) and [Resolutions](#) of 23<sup>rd</sup> July, 2021.

<sup>10</sup> [Government Work Plan 2022, Billet d'État X Volume 1 of 2022](#) and [Resolutions](#) of 1<sup>st</sup> July, 2022

has been shared with the Committee. However, if this Policy Letter is approved, the 2011 resolutions will be rescinded, and the legislation drafted to meet the 2011 resolutions will not be implemented.

- 9.3. In accordance with Rule 4(1)(b), the Committee's consultation with other parties is outlined in Section 7. The Committee will continue to consult and engage with relevant stakeholders regarding the development and implementation of the Guernsey Gazette.
- 9.4. In accordance with Rule 4(1)(c), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.
- 9.5. In accordance with Rule 4(1)(d), the resources required to fulfil the Propositions of this Policy Letter are set out in Section 5.
- 9.6. In accordance with Rule 4(2)(a), the Propositions relate to the duties of the Policy & Resources Committee because its mandate includes responsibilities for "leadership and co-ordination of the work of the States, which includes:[...] Examining issues which expressly do not fall within the mandates of other committees."
- 9.7. In accordance with Rule 4(2)(b), it is confirmed that the Propositions have the unanimous support of the Committee.

Yours faithfully

P T R Ferbrache  
President

H J Soulsby  
Vice-President

M A J Helyar  
J P Le Tocq  
D J Mahoney

## **APPENDIX 1**

### **The History of the Gazette Officielle**

#### **1. History**

- 1.1. From at least the early part of the 19<sup>th</sup> century, official notices were published in the weekly journal known as “La Gazette de Guernesey”. However, in 1935, the company publishing that journal informed the Royal Court that it would not be possible to continue publication. Therefore, the Loi par rapport à la Publication des Annonces Officielles, 1936<sup>11</sup> (“the 1936 Law”) was introduced so that every notice then required<sup>12</sup> by Law, Ordinance or Custom to be published in “La Gazette de Guernesey” was instead to be published in each of two daily newspapers published in the English language in Guernsey (or if there should be only one such newspaper, published therein); and the Royal Court was authorised to make Ordinances relating to such publications.
- 1.2. The Ordonnance par rapport à la Publication des Annonces Officielles, 1936<sup>13</sup> (“the 1936 Ordonnance”) was made by the Royal Court under the 1936 Law and brought the Law into operation. The 1936 Ordonnance provided for the creation of what was to become known as “La Gazette Officielle”, to be published in two local newspapers of the time, the “Guernsey Evening Press” and “The Star”.
- 1.3. The 1936 Ordonnance required the Guernsey Evening Press and The Star to publish such notices in “the first column of the last page but one”, with the column being headed with “the Arms of the Island of Guernsey” followed by the words “La Gazette Officielle” on each day (excluding public holidays). This practice evolved into the current publication of notices in the printed copy of the Guernsey Press, following the merger in 1965 of the Guernsey Evening Press and The Star. The Guernsey Press later added a website displaying the notices published in the printed copy.

#### **2. Reviews since 2008**

- 2.1. The States of Deliberation most recently considered the subject of La Gazette Officielle in 2008 and 2011. In 2008<sup>14</sup> the States approved the Policy Council’s proposals to establish and maintain an online States’ Official Gazette, in which all official notices would be published, initially both online and in hard copy, in

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<sup>11</sup> [Loi par rapport à la Publication des Annonces Officielles, 1936](#)

<sup>12</sup> Notices required by Law, Ordinance or Custom to be published – as was the situation before 30<sup>th</sup> March 1936.

<sup>13</sup> [Ordonnance par rapport à la Publication des Annonces Officielles, 1936](#)

<sup>14</sup> [“States Official Gazette” Billet d’État II of 2008](#) and [Resolutions of 25th February 2008](#)

place of publishing in La Gazette Officielle, and to develop fees to be charged by the States for the publication of notices in the States' Official Gazette. However, following this decision, the Policy Council undertook further consultation with the Guernsey Press Company Limited, States' Departments and the Douzaines. Those talks highlighted improvements made by the Guernsey Press to make La Gazette Officielle notices available on its website for one year after publication in the newspaper (rather than the notices previously being only available for one week). Although the parishes had initially expressed their interest in reducing their publication costs by moving to an online model, the Guernsey Douzaine Council later indicated that the parishes unanimously wished to continue publishing notices in the Guernsey Press. Concerns were also raised about accessibility for Island residents without internet access.

- 2.2. The Policy Council returned the matter to the States in 2011, essentially seeking approval to maintain the status quo by not moving to an online model, whilst making some improvements to how La Gazette Officielle notices were presented, which had associated cost benefits. Accordingly, the 2008 Resolutions were rescinded, and the States resolved that notices could be published in La Gazette Officielle written in plain English and in an abbreviated form, but with reference to a more detailed notice which would be available on the States' website or in printed form on request. The 2011 Policy Letter noted that, as a matter of good practice, the future use of La Gazette Officielle should be monitored and that the possibility of a States' Official Gazette may need to be revisited, "if and when electronic means of communication became the preferred mechanism for receiving information amongst the general public."<sup>15</sup>

### **3. Update since 2011**

- 3.1. The 2011 resolutions were not implemented, primarily because of other priorities taking precedence over a number of years. The work stream was included in the February 2018 policy letter "Prioritisation of Legislative Drafting"<sup>16</sup> and the Policy & Resource Plan updates for 2018<sup>17</sup> and 2019<sup>18</sup>. Following consideration of the legislation drafted to fulfil the 2011 resolutions and the changes in circumstances since 2011, the former Policy & Resources Committee considered that the implementation of the draft legislation would only have limited impact due to the low number of laws affected by the legislation and the requirement to continue to publish notices in the Gazette for legislation that was not included. It was considered that this approach could potentially lead to inconsistency between the different types of published notices, together with a varying style and length of published notices. The

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<sup>15</sup> At paragraph 8.1, p2363

<sup>16</sup> ["Prioritisation of Legislative Drafting" Billet d'État X of 21st March 2018:](#)

<sup>17</sup> [The Policy & Resource Plan -2017 Review and 2018 Update, Billet d'État XV of 5th March 2018](#)

<sup>18</sup> [The Policy & Resource Plan -2018 Review and 2019 Update, Billet d'État IX of 25th June 2019](#)

Committee concluded, largely in a return to the 2008 position, that its preferred approach was to remove the legal requirement for official notices to be published in La Gazette Officielle and instead introduce legislation for official notices to be published in an online States' Gazette to replace La Gazette Officielle, sited on the States of Guernsey's website, with notices made available in hard copy on request. Consultation was then undertaken with stakeholders, including officers on behalf of States' Committees, the Douzaines and the Guernsey Bar regarding these proposals. Engagement was also undertaken with the management team for the Guernsey Press.

- 3.2. On 15<sup>th</sup> January 2020, the statement<sup>19</sup> made by the Vice-President of the former Policy & Resources Committee in the States of Deliberation set out that Committee's intention to bring a Policy Letter reviewing the Gazette Officielle to the States in the first quarter of 2020. However, due to the prioritisation of work relating to the COVID-19 pandemic and Brexit, it was not possible to progress this work in this timescale. During this period, the management of the Guernsey Press also changed and, subsequently, engagement with the new management team was undertaken. In 2021, the current Policy & Resources Committee reviewed the 2011 extant resolutions as part of the Government Work Plan. The 2011 Resolutions have since been included in the prioritisation of legislation but given a low priority.
- 3.3. In 2021, the Committee concluded its review of the policy options and considered that it was now an appropriate time to modernise Guernsey's system for publishing official notices. The Committee recommended the establishment of an online States' Gazette as an alternative place to publish official notices to La Gazette Officielle but not intended as a replacement for that publication. All official notices could be published in the States' administered Gazette where there is a legal requirement to publish. It was considered that this option would be particularly useful for States Committees' notices which could be logically and pragmatically published on the States' website, with associated cost savings. The Committee recommended that the States would charge for publishing notices in order to recover the development and ongoing operational costs, while offering a competitive and cost-effective alternative to publication in La Gazette Officielle. The Committee also recommended the rescission of the 2011 Resolutions as no longer being fit for purpose.

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<sup>19</sup> [15 January 2020 Statement](#)