

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

17th July 2024

Proposition No. P.2024/54

MOTION UNDER ARTICLE 7(1) OF THE REFORM (GUERNSEY) LAW, 1948

Proposed by: Deputy D de G de Lisle

Seconded by: Deputy C P A Blin

To suspend the Rules of Procedure to the extent necessary to permit the Proposition set out below to be considered.

Proposition No. P.2024/54

**THE OFFENCES (FIXED PENALTIES) (GUERNSEY) LAW, 2009 (AMENDMENT)
ORDINANCE, 2024**

AMENDMENT

Proposed by: Deputy D de G de Lisle

Seconded by: Deputy C P A Blin

To insert the following at the end of the Proposition:-

"subject to the following amendments:-

(a) in clause 1(2) –

for "£65", substitute "£45",
for "£95", substitute "£80", and
for "£125", substitute "£115", and

(b) in clause 1(3) –

for "£55", substitute "£35",
for "£85", substitute "£70", and
for "£115", substitute "£105".

Rule 4(1) information

- (a) This proposition contributes to the States' objectives and policy plans to 'keep the island safe and secure' by supporting improvements to criminal justice processes.
- (b) In preparing the propositions no consultation has been undertaken.
- (c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- (d) The effect of the amendment will be to continue to generate increased revenue but not that that would have been received by the States had the original increased amounts applied.

Explanatory note

The primary purpose of the proposal was to ensure fixed penalty notice fines remain fair and proportionate and an increase in revenue was not the driver for change. The increases in the amounts of fixed penalty fines for Bands A, B and C as set out in the draft Ordinance will result in an economic burden on lower income islanders. It will proportionally impact on people with lower incomes leading to financial hardship. The proposed increased amounts are overly punitive fines which will lead to public resentment and loss of trust. The amendment submitted reduces the increased amounts and will reduce the burden and ensure fixed penalty notice fines remain fair and proportionate.