



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 21ST FEBRUARY, 2024**

**The States resolved as follows concerning Billet d'État No II
dated 7th February, 2022**

PRESIDING OFFICER

ELECTION OF A MEMBER OF THE STATES' ASSEMBLY & CONSTITUTION COMMITTEE

P.2024/12

- I. To elect Deputy Y. Burford a sitting Member of the States as a member of the States' Assembly & Constitution Committee to complete the unexpired term of office, that is to the 30th June 2025, of Deputy J. A. B. Gollop who has resigned from that office, and whose notice of resignation is appended hereto, in accordance with Rule 16 of The Rules of Procedure of the States of Deliberation and their Committees.

PRESIDING OFFICER

ELECTION OF A MEMBER OF THE TRANSPORT LICENSING AUTHORITY

P.2024/13

- II. To elect Deputy C. J. le Tissier as a Member of the Transport Licensing Authority to complete the unexpired term of office, that is to the 30th June 2025, of Deputy D. de G. de Lisle who has been deemed to have resigned from that office, in accordance with Rule 16 of The Rules of Procedure of the States of Deliberation and their Committees.

LEGISLATION LAID BEFORE THE STATES

**THE TRANSFRONTIER SHIPMENT OF WASTE (BAILIWICK OF GUERNSEY)
(AMENDMENT) ORDINANCE, 2023**

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Transfrontier Shipment of Waste (Bailiwick of Guernsey) (Amendment) Ordinance, 2023" made by the Policy & Resources Committee on the 5th December 2023, was laid before the States.

No. 112 of 2023

COMPANIES (ANNUAL VALIDATION) (AMENDMENT) REGULATIONS, 2023

In pursuance of sections 237A, 535 and 538 of the Companies (Guernsey) Law, 2008, as amended, and all other powers enabling it in that behalf, the “Companies (Annual Validation) (Amendment) Regulations, 2023”, made by the Committee *for* Economic Development on 16th November, 2023, are laid before the States.

No. 133 of 20223

FOUNDATIONS (GUERNSEY) LAW, 2012 (ANNUAL RENEWAL AND FEES) (AMENDMENT) REGULATIONS, 2023

In pursuance of section 51 of, Schedule 1 to, and paragraph 1(4) of Schedule 1A to, the Foundations (Guernsey) Law, 2012, as amended, and all other powers enabling it in that behalf, the “Foundations (Guernsey) Law, 2012 (Annual Renewal and Fees) (Amendment) Regulations, 2023”, made by the Committee *for* Economic Development on 16th November, 2023, were laid before the States.

No. 114 of 2023

THE LIMITED PARTNERSHIPS (ANNUAL VALIDATIONS) (AMENDMENT) REGULATIONS, 2023

In pursuance of sections 8(2)(d)(iv), 43 and 44 of the Limited Partnerships (Guernsey) Law, 1995, as amended, and all other powers enabling it in that behalf, and after consultation with the Guernsey Financial Services Commission, “The Limited Partnerships (Annual Validations) (Amendment) Regulations, 2023”, made by the Committee *for* Economic Development on 16th November, 2023, were laid before the States.

No. 115 of 2023

LIMITED LIABILITY PARTNERSHIPS (GUERNSEY) LAW, 2013 (AMENDMENT) REGULATIONS, 2023

In pursuance of sections 111 and 113 of the Limited Partnerships (Guernsey) Law, 2013, as amended, and all other powers enabling it in that behalf, the “Limited Liability Partnerships (Guernsey) Law, 2013 (Amendment) Regulations, 2023”, made by the Committee *for* Economic Development on 16th November, 2023, were laid before the States.

No. 116 of 2023

LIMITED PARTNERSHIPS (GUERNSEY) LAW, 1995 (AMENDMENT) (NO. 2) REGULATIONS, 2023

In pursuance of sections 43 and 44 of the Limited Partnerships (Guernsey) Law, 1995, as amended, and all other powers enabling it on that behalf, and after consultation with Guernsey Financial Services Commission, the “Limited Partnerships (Guernsey) Law, 1995 (Amendment) (No. 2) Regulations, 2023”, made by the Committee *for* Economic Development on 16th November, 2023, were laid before the States.

No. 117 of 2023

THE LLPS (ANNUAL VALIDATION) (AMENDMENT) REGULATIONS, 2023

In pursuance of sections 24 and 113 of the Limited Liability Partnerships (Guernsey) Law, 2013, as amended, section 20 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, as amended, and all other powers enabling her in that behalf, "The LLPs (Annual Validation) (Amendment) Regulations, 2023", made by the Registrar of Limited Liability Partnerships on 16th November, 2023, were laid before the States.

No. 121 of 2023

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) (SPECIFIED JURISDICTIONS) REGULATIONS, 2023

In pursuance of section 54(c) of The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, as amended, "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Specified Jurisdictions) Regulations, 2023", made by the Policy and Resources Committee on 23rd November, 2023, were laid before the States.

No. 122 of 2023

THE REGULATION OF FIDUCIARIES, ETC, (AMENDMENT OF COMPANIES LAW) REGULATIONS, 2023

In pursuance of section 54(c) of The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) Law, 2020, as amended, "The Regulation of Fiduciaries, etc, (Amendment of Companies Law) Regulations, 2023", made by the Policy and Resources Committee on 23rd November, 2023, were laid before the States.

No. 123 of 2023

THE PAROCHIAL ELECTIONS (ST MARTIN) (NO. 2) REGULATIONS, 2023

In pursuance of the powers conferred on it by Article 54(4), 61A and 77C of the Reform (Guernsey) Law, 1948, and all other powers enabling it in that behalf, "The Parochial Elections (St Martin) (No 2) Regulations, 2023" made by the States' Assembly & Constitution Committee on 28th November, 2023, are laid before the States.

No. 124 of 2023

THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS) (AMENDMENT) REGULATIONS, 2023

In pursuance of the powers conferred on it by sections 14 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990, and all other powers enabling it in that behalf, "The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2023" made by the Committee *for* Health & Social Care on 5th December 2023, were laid before the States.

No. 125 of 2023

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT AND MEDICAL APPLIANCES)
(AMENDMENT) REGULATIONS, 2023**

In pursuance of the powers conferred on it by sections 13, 18 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990, and all other powers enabling it in that behalf, "The Health Service (Pharmaceutical Benefit and Medical Appliances) (Amendment) Regulations, 2023" made by the Committee for Health & Social Care on 5th December 2023, were laid before the States.

No. 126 of 2023

**THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) (SPECIFIED
JURISDICTIONS) REGULATIONS, 2023**

In exercise of the powers conferred on it by sections 49AA and 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 (the Law) and all other powers enabling "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Fees) (Amendment) Regulations, 2023" made by the Guernsey Financial Services Commission were laid before the States.

No. 127 of 2023

**THE FINANCIAL SERVICES COMMISSION (FEES AND ADMINISTRATIVE PENALTIES)
REGULATIONS, 2023**

In exercise of the powers conferred on it by 13 and 25 of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987, sections 22 and 23 of the Protection of Investors (Bailiwick of Guernsey) Law, 2020b, sections 7 and 60 of the Banking Supervision (Bailiwick of Guernsey) Law, 2020c, sections 7 and 53 of the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc. (Bailiwick of Guernsey) Law, 2020d, sections 4Q 50 and 129 of The Financial Services Business (Enforcement Powers) Bailiwick of Guernsey) Law, 2020" sections 85, 86 and 94 of the Insurance Business (Bailiwick of Guernsey) Law, 2002r, and sections 62, 63 and 71, of the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002c, sections 12, 22, 33 and 37 of the Lending, Credit and Finance (Bailiwick of Guernsey) Law, 2022, sections 66(2)(i), 9aQ@), 438, 469, 534 535 and 538 of the Companies (Guernsey) Law, 2008h, sections 36(2)(c), 45 and 113 of the Limited Liability Partnerships (Guernsey) Law, 2013i and all other powers enabling it in that behalf, and where required, after consultation with, and with the agreement of, the States of Guernsey Policy and Resources Committee, the States of Guernsey Committee for Economic Development, the States of Alderney Policy and Finance Committee and the Chief Pleas of Sark Policy and Finance Committee "The Financial Services Commission (Fees and Administrative Penalties) Regulations, 2023" made by the Guernsey Financial Services Commission were laid before the States.

No. 129 of 2023

**THE FINANCIAL SERVICES COMMISSION (FEES AND ADMINISTRATIVE PENALTIES)
REGULATIONS, 2023**

In pursuance of section 26A of the Fires Services (Guernsey) Law, 1989, “The Fire Services (Fees and Charges) (Guernsey) Regulations, 2023”, made by the Committee for Home Affairs on 27th November, 2023, were laid before the States.

No. 130 of 2023

**THE CRIMINAL JUSTICE (MISCELLANEOUS AMENDMENTS – PREVENTATIVE OFFENCES)
(BAILIWICK OF GUERNSEY) ORDINANCE, 2023 (COMMENCEMENT) REGULATIONS, 2023**

In exercise of the powers conferred on it by section 6 of the Criminal Justice (Miscellaneous Amendments – Preventative Offences) (Bailiwick of Guernsey) Ordinance, 2023, and all other powers enabling it in that behalf “The Criminal Justice (Miscellaneous Amendments – Preventative Offences) (Bailiwick of Guernsey) Ordinance, 2023 (Commencement) Regulations, 2023” made by the Committee for Home Affairs were laid before the States.

No. 131 of 2023

THE MARRIAGE (BAILIWICK OF GUERNSEY) (AMENDMENT) REGULATIONS, 2023

In pursuance of section 66(7) of The Marriage (Bailiwick of Guernsey) Law, 2020, as amended, “The Marriage (Bailiwick of Guernsey) (Amendment) Regulations, 2023”, made by the Policy and Resources Committee on 12th December, 2023, were laid before the States.

No. 132 of 2023

THE BIRTHS AND DEATHS CERTIFICATES (FEES) REGULATIONS, 2023

In pursuance of section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, “The Births and Deaths Certificates (Fees) Regulations, 2023”, made by the Policy and Resources Committee on 12th December, 2023, were laid before the States.

No. 133 of 2023

THE DOCUMENT DUTY (ANTI-AVOIDANCE) (FEES) REGULATIONS, 2023

In pursuance of section 17(3) of The Document Duty (Anti-Avoidance) (Guernsey) Law, 2017, “The Document Duty (Anti-Avoidance) (fees) Regulations, 2023”, made by the Policy and Resources Committee on 12th December, 2023, were laid before the States.

No. 134 of 2023

**THE PUBLIC RECORDS (FEES FOR REGISTRATION AND CERTIFIED COPIES OF DOCUMENT)
REGULATIONS, 2023**

In pursuance of section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, “The Public Records (Fees for Registration and Certified Copies of Document) Regulations, 2023”, made by the Policy and Resources Committee on 12th December, 2023, were laid before the States.

No. 135 of 2023

**THE SANCTIONS (IMPLEMENTATION OF UK REGIMES) (BAILIWICK OF GUERNSEY)
(AMENDMENT - IRAN) REGULATIONS, 2023**

In pursuance of section 27(5) of The Sanctions (Bailiwick of Guernsey) Law, 2018, as amended, "The Sanctions (Implementation of UK Regimes) (Bailiwick of Guernsey) (Amendment – Iran) Regulations, 2023", made by the Policy and Resources Committee on 12th December, 2023, were laid before the States.

No. 137 of 2023

**THE MOTOR TAXATION (FIRST REGISTRATION DUTY) ORDINANCE (AMENDMENT)
REGULATIONS, 2023**

In pursuance of sections 2A and 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987, and of all other powers enabling it in that behalf, "The Motor Taxation (First Registration Duty) Ordinance (Amendment) Regulations, 2023" made by the Committee for the Environment and Infrastructure on 18th December 2023 were laid before the States.

No. 139 of 2023

THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS 2023

In pursuance of sections 15, 20, 31 and 116 of the Social Insurance (Guernsey) Law, 1978, "The Social Insurance (Benefits) (Amendment) Regulations, 2023", made by the Committee for Employment & Social Security on 18th December, 2023, were laid before the States.

No. 140 of 2023

**THE OFFICE OF THE LIEUTENANT-GOVERNOR OF GUERNSEY (SALARY AND OFFICIAL
EXPENSES) (PERFORMANCE OF FUNCTIONS) REGULATIONS, 2023**

In pursuance of section 4(3) of The States (Reform) (Guernsey) Law, 2015, "The Office of the Lieutenant-Governor of Guernsey (Salary and Official Expenses) (Performance of Functions) Regulations, 2023", made jointly by the Policy & Resources Committee and the Committee for Home Affairs on 12th December, 2023, were laid before the States.

POLICY & RESOURCES COMMITTEE

THE PUBLICATION OF OFFICIAL NOTICES (GUERNSEY) LAW, 2024

P.2024/1

- III. They are of the opinion to approve the draft *Projet de Loi* entitled "The Publication of Official Notices (Guernsey) Law, 2024", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

COMMITTEE FOR HOME AFFAIRS

THE SEXUAL OFFENCES (MISCELLANEOUS PROVISIONS) (BAILIWICK OF GUERNSEY) LAW, 2024

P.2024/2

- IV. They are of the opinion to approve the draft Projet de Loi entitled "The Sexual Offences (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2024" and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

POLICY & RESOURCES COMMITTEE

THE INCOME TAX (EXEMPTION OF BENEFITS) (AMENDMENT) ORDINANCE, 2024

P.2024/3

- V. They are of the opinion to approve the draft Projet de Loi entitled "The Income Tax (Exemption of Benefits) (Amendment) Ordinance, 2024" and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

POLICY & RESOURCES COMMITTEE

PUBLIC SERVICES OMBUDSPERSON

P.2023/137

- VI. After consideration of the policy letter entitled 'Public Services Ombudsperson' dated 8th November 2023, they are of the opinion: -
1. That in the current financial climate and with the need to find savings across the public service, and given the recent review of the existing system for public service complaints, establishing a Public Services Ombudsperson is not a priority use of resources and should not be pursued further at this time but that this should be revisited as part of a planned review of finances in 2026.
 2. To note that the June 2020 'Review of the Governance Arrangements of the Arm's Length Bodies of the States of Guernsey' recommended that: *"The establishment of either a public service Ombudsman or a health Ombudsman would not at this juncture be proportionate for Guernsey and the Review Panel does not recommend doing so, but rather a watching a brief should be kept on developments in relation to the development of such models in other comparable jurisdictions."*
 3. To note that on 26th March 2021, following the debate on the Government Work Plan – Stage 1 P.2021/21, the States resolved *inter alia* to rescind the resolution that: *"The Policy Council should redouble its efforts to present proposals for the*

establishment of appropriate processes for hearing complaints and appeals against States Departments and Committees, having set out the merits or otherwise of a Centralised Tribunal Service and an Ombudsman” because the work was to be “incorporated into the subsequent work on the Review of the Role and Governance of Arm’s Length Bodies.”

4. To direct that having regard to the Government Work Plan resolutions of 26th March 2021, the Committee considers the recommendations in the June 2020 ‘Review of the Governance Arrangements of the Arm’s Length Bodies of the States of Guernsey’ and to report back by March 2025 with any further recommendations and an implementation timetable for the States’ consideration that the Committee deem appropriate.

COMMITTEE FOR HOME AFFAIRS

ROAD TRAFFIC LEGISLATION – AMENDMENTS IN RELATION TO HAZARDOUS DRIVING, DRINK-DRIVING AND DRUG-DRIVING

P.2024/4

- VII. After consideration of the policy letter entitled ‘Road Traffic Legislation – Amendments in Relation to Hazardous Driving, Drink-driving and Drug-driving’ dated 30th October 2023, they are of the opinion to: -
 1. Introduce a new offence of *Causing death by careless, or inconsiderate, driving* including a provision for the courts to convict a defendant of this offence as an alternative to death by dangerous driving without it having to be specifically charged;
 2. Introduce a new offence of *Causing serious injury by dangerous driving*;
 3. Introduce a new offence of *Causing serious injury by careless, or inconsiderate, driving* including a provision for the courts to convict a defendant of this offence as an alternative to causing serious injury by dangerous driving without it having to be specifically charged;
 4. Remove the option for suspected drink drivers to provide a specimen of blood or urine when they have already provided evidential breath samples over the legal alcohol limit;
 5. Introduce specified legal limits for certain drugs and create an offence of *Driving whilst over the prescribed limit for specified drugs*;
 6. Introduce specified legal limits for certain drugs and create an offence of *Driving whilst over the prescribed limit for specified drugs*;
 7. Introduce a new offence of *Failing to comply with a preliminary impairment test*;

8. Approve the use of roadside drug screening tests for the detection of drugs affecting drivers and introduce a new offence of *Failing to comply with roadside drug screening tests*;
9. Amend the offence of dangerous driving so that the wording includes a definition similar to that applicable in England and Wales;
10. Amend the offence of driving without due care and attention so that the wording includes a definition similar to that applicable in England and Wales;
11. Introduce new provisions and amendments to allow 'registered health care professionals' (in addition to medical practitioners) to take blood samples, and give advice, provide opinions, and do other related things for the purposes of drug and drink driving offences;
12. Direct the preparation of such legislation as may be necessary to give effect to the above decisions.

POLICY & RESOURCES COMMITTEE

SCHEDULE FOR FUTURE STATES' BUSINESS

P.2024/14

- VIII. After consideration of the policy letter entitled 'Public Services Ombudsperson' dated 8th November 2023, they are of the opinion: -
1. To approve the Schedule subject to deleting "P/2024/11 – Affordable Housing – GP11" and inserting immediately before "Items for the Special Meeting of the States commencing on the 5th November, 2024" the following words:

"Items for Ordinary Meeting of the States commencing on the 24th April 2024

P.2024/11 – Affordable Housing – GP11"
 2. To agree that the General Update Statement to be provided by the Policy & Resources Committee shall be taken as the first item of business immediately after the lunch recess on 20th March 2024.

S.M.D. ROSS
STATES' GREFFIER