



XVII  
2012

# BILLET D'ÉTAT

WEDNESDAY 25th JULY 2012

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# ***B I L L E T D ' É T A T***

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## **TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY**

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I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY**, the **25<sup>th</sup> JULY, 2012**, at 9.30am, to consider the items contained in this Billet d'État which has been submitted for debate.

**R. J. COLLAS**  
Bailiff and Presiding Officer

The Royal Court House  
Guernsey  
15 June 2012

**PROJET DE LOI**

entitled

**THE FOUNDATIONS (GUERNSEY) LAW, 2012**

The States are asked to decide:-

I.- Whether they are of the opinion to approve the draft Projet de Loi entitled “The Foundations (Guernsey) Law, 2012” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE COMPETITION (GUERNSEY) ORDINANCE, 2012**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Competition (Guernsey) Ordinance, 2012” and to direct that the same shall have effect as an Ordinance of the States.

**THE HOUSING (CONTROL OF OCCUPATION) (AMENDMENT OF HOUSING REGISTER) (NO.2) ORDINANCE, 2012**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Housing (Control of Occupation) (Amendment of Housing Register) (No.2) Ordinance, 2012” and to direct that the same shall have effect as an Ordinance of the States.

**POLICY COUNCIL**

THE GUERNSEY FINANCIAL SERVICES COMMISSION:  
2011 ANNUAL REPORT

The Financial Services Commission (Bailiwick of Guernsey) Law, 1987, as amended, requires the Commission to prepare an annual report and accounts for submission by the Policy Council to the States.

The Policy Council recommends that the States appoint the firm of BDO Limited as auditors of the Guernsey Financial Services Commission for the year ending 31 December 2012.

The Policy Council recommends the States:

- (1) to note the Report;
- (2) to approve the accounts of the Guernsey Financial Services Commission for the year ended 31 December 2011;
- (3) to appoint the firm of BDO Limited as auditors of the Guernsey Financial Services Commission for the year ending 31 December 2012.

Deputy J P Le Tocq  
Deputy Chief Minister

28 May 2012

Deputy Peter A Harwood  
Chief Minister

Deputy G A St Pier  
Deputy R Domaille  
Deputy D B Jones  
Deputy R W Sillars  
Deputy P A Luxon

Deputy A H Langlois  
Deputy K A Stewart  
Deputy A H Adam  
Deputy M G O'Hara

**(NB The Guernsey Financial Services Commission 2011 Annual Report, which is appended to this Report, is published separately)**

**(NB The Public Accounts Committee favours the appointment of BDO Limited as external auditors of the Guernsey Financial Services Commission for the year ending 31 December 2012.)**

**(NB As there are no resource implications identified in the report, the Treasury and Resources Department has no comments to make.)**

The States are asked to decide:-

IV.- Whether, after consideration of the Report dated 28<sup>th</sup> May, 2012, of the Policy Council, they are of the opinion:-

1. To note the Report.
2. To approve accounts of the Guernsey Financial Services Commission for the year ended 31 December 2011.
3. To appoint the firm of BDO Limited as auditors of the Guernsey Financial Services Commission for the year ending 31 December 2012.

**STATUTORY INSTRUMENTS LAID BEFORE THE STATES****THE EXPORT CONTROL (MISCELLANEOUS GOODS) (BAILIWICK OF GUERNSEY) (AMENDMENT NO.2) ORDER, 2012**

In pursuance of Section 12 of the Export Control (Bailiwick of Guernsey) Law, 2006, the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment No.2) Order, 2012, made by the Home Department on 14<sup>th</sup> May 2012, is laid before the States.

**EXPLANATORY NOTE**

This Order adds 2-(ethylamino)-2-(3-methoxyphenyl) cyclohexanone and related substances, commonly known as methoxetamine, to the list of prohibited exports in Schedule 4 to the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) Order, 2010.

**THE DRIVING LICENCES (GUERNSEY) THEORY TEST (AMENDMENT) REGULATIONS, 2012**

In pursuance of section 4A of the Driving Licences (Guernsey) Ordinance, 1995, as amended, the Driving Licences (Guernsey) Theory Test (Amendment) Regulations, 2012, made by the Environment Department on 26<sup>th</sup> April, 2012, are laid before the States.

**EXPLANATORY NOTE**

These Amendment Regulations amend the Driving Licences (Guernsey) Theory Test Regulations, 2005. The fee for a theory test in any category has been £30 since 1<sup>st</sup> January 2011. These Amendment Regulations increase the fee payable for a theory test to £35 for a motorcycle or motor car licence and to £50 for a goods or passenger vehicles licence.

The increase is necessary to cover the increase in the cost of the service which has exceeded the Guernsey Retail Price Index.

In October 2011, the Department increased the number of theory test questions from 35 to 50 for motorcycles and motor cars and from 35 to 100 for goods vehicles and passenger vehicles. The increase in questions was to ensure that candidates have a greater theoretical knowledge and understanding of safe driving before they are permitted to take their practical test. The increase also made the number of questions comparable with similar licensing jurisdictions with whom the Department has driving licence exchange agreements.

The additional questions, particularly in the case of goods vehicle and passenger vehicle tests, has increased the duration of the tests significantly and therefore costs to the Department in terms of provision of invigilators. In addition, the Driving Standards Agency has introduced increased charges for the use of its theory test question database.

The fee increase shall come into effect from 1<sup>st</sup> July 2012.

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT) (No.2) REGULATIONS, 2012**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No.2) Regulations, 2012 made by the Social Security Department on 29 May 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations add to and remove from the limited list of drugs and medicines available as pharmaceutical benefit which may be ordered to be supplied by medical prescriptions issued by medical practitioners. These Regulations came into operation on 29 May 2012.

**APPENDIX 1**

**NOMINATION OF ACTING PRESIDING OFFICERS OF THE STATES OF  
DELIBERATION AND THE STATES OF ELECTION**

**NOMINATION OF ACTING PRESIDING OFFICERS OF THE  
STATES OF DELIBERATION**

Pursuant to paragraph (2) of Article 1 of the Reform (Guernsey) Law, 1948, as amended, I hereby nominate:

Deputy Mary May LOWE  
Deputy John Alfred Bannerman GOLLOP  
Deputy David Brian JONES

to perform the duties of Acting Presiding Officer of the States of Deliberation, whose seniority in order of appointment shall rank immediately after the Deputy Presiding Officer and in the order in which their names appear herein.

R J COLLAS  
Bailiff and Presiding Officer of the States of Deliberation  
22 May 2012

**NOMINATION OF ACTING PRESIDING OFFICER OF THE  
STATES OF ELECTION**

Pursuant to paragraphs (2) and (3) of Article 1 and to paragraph (3) of Article 4 of the Reform (Guernsey) Law, 1948, as amended, I hereby nominate:

Deputy Mary May LOWE

to perform the duties of Acting Presiding Officer of the States of Election, whose seniority in order of appointment shall rank immediately after the Deputy Presiding Officer.

R J COLLAS  
Bailiff and Presiding Officer of the States of Election  
22 May 2012