

APPENDIX 2

LEGISLATION PRIORITISED FOR DRAFTING

No.	Committee sponsor(s)	Billet d'État & (Article No.)	Subject & comments	Status	P&R agreed priority	Responsibility for next step	Stage <sup>1</sup>
1	Development & Planning Authority	XXV/2021 (Art. IX)	<b>Review of the Land Planning and Development (Exemptions) Ordinance, 2007</b> Amendment of Land Planning and Development (Exemptions) Ordinance, 2007 and the Land Planning and Development (Use Classes) Ordinance, 2017 to provide new exemptions from the requirement to obtain planning permission and amend existing exemptions.	First draft of legislation sent to officers of the Committee for review and feedback.	High	Development & Planning Authority	4
2	Economic Development	XIV/2015 (Art. XV)	<b>Roll On/Roll Off Ferry Services</b> Licensing regime for Roll On/Roll Off services at St Peter Port Harbour	The Law has been drafted and is awaiting the outcome of the related commercial negotiations.	High	Committee for Economic Development	4

<sup>1</sup> <https://gov.gg/newlegislation>: which includes explanation of the stages

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3	Economic Development	VI/2010 (Art. XI)	<b>Limited partnerships</b> Re-enactment of the Limited Partnerships (Guernsey) Law, 1995 with miscellaneous amendments – e.g., transfer functions to company registrar, migrations, conversions, protected cells	Following consultation on an advanced draft of the Law the Committee has decided to revise the original proposal. A short supplementary Policy Letter will be required to confirm States approval of any revised drafting instructions.	High	Committee <i>for</i> Economic Development	4
4	Economic Development	VII/2020 (Art. VII)	<b>Development of Competition Legislation</b> Amendments to the Competition (Enabling Provisions) (Guernsey) Law, 2009, the Competition (Guernsey) Ordinance, 2012 and the Guernsey Competition and Regulatory Authority Ordinance, 2012	A working draft of the legislation was sent for consultation with the Guernsey Commercial Bar Association and Guernsey International Business Association in January 2022. Feedback has been received and is being reviewed by officers in the Finance Sector Development Unit.	High*	Committee <i>for</i> Economic Development	4
5	Economic Development	VIII/2021 (Art. II)	<b>Introduction of Limited Liabilities Companies legislation</b>	Draft legislation is with officers working to the Committee for review.	High*	Committee <i>for</i> Economic Development	4
6	Employment & Social Security	IV/2020 (Art. II)	<b>Secondary Pensions</b> Introduction of a statutory obligation on employers to automatically enrol their employees into a secondary	Draft legislation is close to finalisation. Consultation feedback is expected from the Guernsey Association of Pension Providers in early May.	High	Committee <i>for</i> Employment & Social Security	4

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			pension scheme and pay contributions into that scheme on their behalf. Also details the criteria to be met by pension schemes being used for this purpose and introduces provisions in respect of compliance and enforcement.				
7	Employment & Social Security	XV/2020 (Art. XV)	<p><b>Proposals for a new Discrimination Ordinance</b></p> <p>1. Preparation of an Ordinance under the Prevention of Discrimination (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 in relation to the prevention of discrimination on the grounds of disability, carer status, race, sexual orientation and religious belief.</p> <p>2. Amendment of the Sex Discrimination (Employment) (Guernsey) Ordinance, 2005 to ensure it aligns with the new Discrimination Ordinance.</p>	The Committee has completed consultation on the draft legislation for items 1 and 2.	High	Committee <i>for</i> Employment & Social Security; Law Officers	4

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8	Employment & Social Security	XV/2020 (Art. XV)	<b>Proposals for a new Discrimination Ordinance</b> Amendment of the Employment & Discrimination Tribunal (Guernsey) Ordinance, 2005 to require Tribunal Chairs to be legally qualified (section 7.4.3. of the Policy Letter).	A draft Order has been prepared and reviewed by officers working to the Committee. The Order is not required to be made until towards the end of 2022.	High	Committee <i>for</i> Employment & Social Security; Law Officers	4
9	Environment & Infrastructure	XXI/2012 (Art. VI)	<b>Environmental pollution</b> Amendment of the Environmental Pollution (Guernsey) Law, 2004; water standards; exemptions from the Food and Environmental Protection Act for certain deposits in sea.	Drafting of the Water Pollution Ordinance is in its final stages. Officers working to the Committee are preparing a supplementary Policy Letter to address some policy changes since the 2012 policy was agreed.	High	Committee <i>for the</i> Environment & Infrastructure	4
10	Environment & Infrastructure	XXVI/2014 (Art. VI)	<b>Register of driving instructors</b> Legislation to provide for a register of driving instructors and subsequent amendments to the Driving Licences (Guernsey) Ordinance, 1995. A requirement under the Vienna Convention.	Law has been registered but Regulations implementing and commencing the new regime are required. Much of the legislation has already been drafted and consultation on this matter will take place in 2022. Finalisation of the legislation is	High*	Committee <i>for the</i> Environment & Infrastructure	4

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				expected in early 2023 and implementation in later 2023.			
11	Environment & Infrastructure	XIII/2020 (Art. VI)	<b>Proposed introduction of a general housing law</b> Introduction of enabling legislation to allow for the regulation of the Island's housing other than control of occupation. Amendment of other legislation relevant to housing standards is required.	The enabling Law was approved by the States on 15th October, 2021 and is currently awaiting Royal Sanction. Drafting of the secondary legislation will commence once instructions are received from the Committee.	High	Committee <i>for the</i> Environment & Infrastructure	2
12	Health & Social Care	VII/2016 (Art. III)	<b>Capacity Law</b> Secondary legislation is required to implement the different parts of the Law.	Ordinances commencing parts of the Law and supporting the introduction of Lasting Powers of Attorney were approved at the March 2022 States Meeting. The next part of the Law to be commenced relates to the Protective Authorisation	High	Committee <i>for</i> Health & Social Care	2

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				Scheme, which will take place when further policy and operational decisions have been made. The provisions in the Law relating to Adult Safeguarding are also being further considered.			
13	Health & Social Care	XV/2018 (Art. XIV)	<b>Organ donation - soft opt out scheme</b> Secondary legislation	An Ordinance to commence The Human Tissue and Transplantation (Bailiwick of Guernsey) Law, 2020 has been submitted for consideration at the 29th June States Meeting.	High	States of Deliberation	7
14	Health & Social Care	III/2019 (Art. V)	<b>Health and Care Regulation in the Bailiwick</b> Bailiwick wide enabling Law to establish, amongst other things, an independent Commission to regulate health and care provision.	The Committee intends to progress the development of the primary Law in line with the Government Work Plan timeframe. Secondary legislation will follow when capacity allows.	High	Committee <i>for</i> Health & Social Care	4
15	Home Affairs	V/2005 (Art. VII)	<b>Parole legislation</b> Ordinance to cover applications for parole, revocation and recall and the Parole Review Committee	The Law has received Royal Assent. A revised draft Ordinance and draft Regulations have been sent to the Committee for review and further instruction.	High	Committee <i>for</i> Home Affairs	4

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16	Home Affairs	III/2016 (Art. XIX)	<b>Consumer Protection: Introduction of statutory consumer protection powers</b> Preparation of Ordinance under the Trading Standards (Enabling Provisions) (Guernsey) law, 2009	Draft legislation has been shared with officers at the Committee for review and feedback.	High	Committee <i>for</i> Home Affairs	4
17	Home Affairs	XIII/2011 (Art. IX)	<b>Sexual Offences</b> Secondary legislation	An Ordinance commencing part of the Law was approved by the States on the 16th February, 2022. The remaining secondary legislation will be commenced once further instructions are received from the Committee.	High	Committee <i>for</i> Home Affairs	2
18	Home Affairs	XVIII/2006 (Art. XIII)	<b>Terrorism</b> New offences based on Terrorism Act 2006	The Bailiwick's existing terrorism legislation is being compared against the UK's terrorism legislation in order to evaluate what additional provisions the Bailiwick should adopt. The review extends far beyond a comparison with the Terrorism Act 2006 and therefore notwithstanding that drafting instructions are in place, once the review is	High*	Committee <i>for</i> Home Affairs	2

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				complete a Policy Letter will be prepared which will include the revocation or modification of this Resolution.			
19	Home Affairs	XV/2013 (Art. X)	<b>Terrorist financing, money laundering and weapons proliferation</b> Legislation equivalent to the provisions of schedule 7 of the UK Counter Terrorism Act 2008	A first draft has been produced, and discussions are ongoing with the relevant UK authorities.	High*	Committee <i>for</i> Home Affairs	4
20	Home Affairs	XXIII/2021 (Art. IV)	<b>Legislation relating to financial crime and related matters</b> Amendments to the criminal justice framework for addressing financial crime: repealing and replacing the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007; amendments to eight other pieces of legislation; and new legislation regarding liability for international assistance.	Draft Law and related Ordinance sent to officers of the Policy & Resources Committee for review and feedback.	High*	Committee <i>for</i> Home Affairs; Law Officers	4

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21	Policy & Resources	XI/2018 (Art. III)	<p><b>Transformation of Income Tax and Contributions Services</b></p> <p>To develop a single service for the collection of Income Tax and Social Security Contributions; to establish the office of Director of Revenue Services and transfer functions of the Director of Income Tax and the operational contributions responsibilities of CfESS and the Administrator of the Social Insurance Law to that post.</p>	<p>An Ordinance dealing with the establishment of the new Revenue Service Tribunal was approved by the States and commenced on 1st January, 2022.</p> <p>A draft Ordinance dealing with the outstanding Resolutions concerning confidentiality/information exchange is being reviewed and finalised by officers of the Committee.</p>	High	Policy & Resources Committee; Committee <i>for</i> Employment & Social Security	4
22	Policy & Resources	XXI/2019 (Art. I)	<p><b>States of Guernsey Annual Budget for 2020.</b></p> <p>Provision for equity release mortgages (proposition 28)</p>	<p>This piece of legislation is contingent on the appropriate protection for consumers being in place to ensure regulation of lending by the Guernsey Financial Services Commission (item 16).</p> <p>A clause has been added to the Lending, Credit and Finance Law to enable equity release mortgages to be provided for by way of Ordinance (item 26).</p>	High	Policy & Resources Committee	3

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23	Policy & Resources	V/2020 (Art. I)	<b>Reform of the Matrimonial Causes Law</b> Reform of the law relating to divorce, annulment and judicial separation of marriage.	A final draft of the legislation has been approved by the Policy & Resources Committee, and endorsed by the Policy & Finance Committees of Alderney and Sark, and the Committee <i>for</i> Home Affairs. It is being submitted for consideration at the 30 <sup>th</sup> May Legislation Review Panel meeting.	High	Legislation Review Panel	6
24	Policy & Resources	IV/2021 (Art. V)	<b>Use of money in dormant accounts</b> Establishment of a statutory scheme to require the transfer of balances in dormant bank accounts in the Bailiwick to a statutory central fund called the Bailiwick Dormant Accounts Fund.	Draft legislation is with officers working to the Committee for review.	High	Policy & Resources Committee	4
25	Policy & Resources		<b><i>OECD Pillar 1 and 2 Proposals to address the tax challenges arising from the digitalisation of the economy</i></b> <i>The OECD has been developing new international tax</i>	<i>Technical discussions are ongoing in various OECD forums. It is anticipated that a Policy Letter will be brought to the States in 2022.</i>	<i>High*</i>	<i>Policy &amp; Resources Committee</i>	2

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			<i>standards to tackle remaining Base Erosion and Profit Shifting (BEPS) issues. Aspects of Pillars 1 and 2 are minimum standards. These will require both signing of a multilateral agreement and domestic legislation.</i>				
26	Policy & Resources; Economic Development	IV/2021 (Art. VI)	<b>Lending, Credit and Finance legislation</b> Repeal of the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008 and the preparation of a new Lending, Credit and Finance Law.	The Lending, Credit and Finance Law has been drafted and was considered by the Legislation Review Panel on the 25 <sup>th</sup> April 2022.	High	Law Officers	6
27	Policy & Resources; Economic Development	XXV/2021 (Art. X)	<b>Investigation of Air Accidents and Incidents</b> Implementation of the Annex 13 to the Chicago Convention and Regulation (EU) 996/2010 on the investigation and prevention of accidents and incidents in civil aviation. This will require an Ordinance to	Drafting of the legislation is at an advanced stage. Consultation with the Department for Transport is required to finalise the provisions.	High	Law Officers	3

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			be made under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994 and the making of an Order in Council to extend the UK Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2018 to the Bailiwick.				
28	Policy & Resources; Home Affairs	VIII/2021 (Art. V)	<b>Future Governance and operation of the Seized Asset Fund</b> Legislation to put the seized asset arrangements on a statutory footing.	An initial draft has been prepared and is being reviewed internally before being sent to officers of the Committee.	High	Law Officers	3
29	Employment & Social Security	XV/2020 (Art. XV)	<b>Proposals for a new Discrimination Ordinance</b> Preparation of legislation outlining the powers and functions of the statutory official who will lead the Employment and Equal Opportunities Service and to amend existing employment and discrimination legislation in order to transfer any	Drafting has commenced and a first draft of the Law is expected to be with officers of the Committee by Summer 2022. The Law will be commenced at the same time as the main Ordinance.	Medium	Law Officers	3

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			relevant powers to that official (section 7.4.2. of the Policy Letter)				
30	Environment & Infrastructure	III/2003 (Art. VI)	<b>Animal Welfare Legislation</b> Ordinance required for welfare of animals during international transport, regulation of professions and responsibilities and liabilities of animal owners.	The three Ordinances to be drafted are: 1) welfare in transport (WIT) (primarily during export) 2) licensing of businesses that work with animals 3) regulation of veterinary surgeons A draft of the Ordinance regarding welfare in transport (1) is being reviewed. Officers are considering how the draft will fit with proposed legislation in relation to Animal Health post Brexit and the general requirements relating to enforcement in the Official Controls EU Regulation.	Medium	Committee <i>for the</i> Environment & Infrastructure	4
31	Environment & Infrastructure	IX/2014 (Art. VI)	<b>On-Island Integrated Transport strategy</b> Resolution 10 - requirement to pass a theory test before driving on the road as a	Draft amendments to the Driving Licences (Guernsey) Ordinance, 1995 and a draft set of Regulations are substantially complete and have been agreed	Medium	Committee <i>for the</i> Environment & Infrastructure	4

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			provisional driving licence holder	by officers working to the Committee. The legislation will be finalised once practical arrangements, such as IT infrastructure, for its implementation are in place. The drafter awaits further instruction.			
32	Health & Social Care	VII/2016 (Art. V)	<b>Adoption</b> Repeal of the Adoption (Guernsey) Law, 1960 and all relevant legislation relating to adoption to be replaced by new legislation based on the provisions of the Adoption and Children Act 2002.	A draft of the legislation has been prepared but this workstream has not progressed due to lack of policy resource. It is estimated that work may recommence in Q3 2022.	Medium	Committee <i>for</i> Health & Social Care	4
33	Home Affairs	XXIV/2009 (Art. XII)	<b>People working with children and vulnerable adults:</b> Vetting and barring scheme	The 2009 policy decisions need to be revisited. The Committee is working to consider how this can be progressed.	Medium	Committee <i>for</i> Home Affairs	3
34	Economic Development	III/2016 (Art. XVII)	<b>Regulation of utilities</b> Remove postal services and electricity regulation by the Guernsey Competition and Regulatory Authority; amend Post Office and Electricity	The Committee is currently reviewing the 2015 States' Resolutions in the context of the direction to be set by the Energy Policy, to determine whether the Resolutions	Low	Committee <i>for</i> Economic Development	2

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			Laws to enable the CED to regulate those utilities	relating to Guernsey Electricity Limited, and the regulations of the electricity sector are aligned with the directions in the Energy Policy.			
35	Employment & Social Security	XI/2020 (Art. XII)	<b>Diffuse Mesothelioma Payment Scheme</b> Introduction of a statutory Diffuse Mesothelioma Payment Scheme	Since legislation is not necessary to facilitate the making of payments, work on this Resolution has been paused.	Low	Committee <i>for</i> Employment & Social Security	1
36	Employment & Social Security	XV/2020 (Art. XV)	<b>Proposals for a new Discrimination Ordinance</b> Rules of Procedure for the Employment and Discrimination Tribunal by Order under the provisions of paragraph 3 of the Schedule to the Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005.	Drafting of legislation has not yet commenced.	Low	Committee for Employment & Social Security	1
37	Environment & Infrastructure	IX/2014 (Art. VI)	<b>On-Island Integrated Transport strategy</b> Extensive legislative proposals (e.g., presumed liability, speed limit review, motorcycle licensing requirements,	It is envisaged that the legislation on theory tests will be completed in this political term. IT infrastructure changes must take place in advance - see separate entry in respect of this	Low	Committee <i>for the</i> Environment & Infrastructure	3

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			amendments to theory tests, etc.)	Resolution with a higher priority. The remaining extant Resolutions requiring the drafting of legislation have been held in abeyance by the Committee.			
38	Environment & Infrastructure	XXV/2003 (Art. XI)	<b>Genetically modified crops</b> Legislation to regulate	The adoption locally of the Official Controls Regulation (Smarter Regulation for Safer Food) to ensure alignment with UK regulatory controls post-Brexit will result in this area having a higher priority to protect trade with the UK. The necessity and value of this legislation is being considered as part of an ongoing gap analysis looking at legislation that may be of value post-Brexit.	Low*	Committee <i>for the</i> Environment & Infrastructure	1
39	Environment & Infrastructure	XIV/2015 (Art. XIX)	<b>Residential On-Street Parking</b> Ordinance under the Road Traffic (Parking Fees and Charges) (Enabling Provisions)	Drafting of this legislation has been paused pending a full review of parking policy.	Low	Committee <i>for the</i> Environment & Infrastructure	3

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			(Guernsey) Law, 2009 to provide for parking permits.				
40	Environment & Infrastructure	VIII/2006 (Art. IX)	<b>Plant Health (Guernsey) Ordinance</b> Non-Brexit related Ordinances may be required	Officers working to the Committee are considering the requirements for statutory controls covering noxious and invasive plants alongside enhancements to the framework for conservation legislation.	Low*	Committee <i>for the</i> Environment & Infrastructure	1
41	Home Affairs	XXI/2009 (Art. IV)	<b>Domestic Abuse Strategy</b> Amend the Domestic Proceedings and Magistrates Court (Guernsey) Law, 1988 Law in relation to breaches of Domestic Violence Injunctions.	Officers working to the Committee are considering further proposals relating to domestic violence legislation in other jurisdictions, as part of the review of the Domestic Abuse Strategy.	Low	Committee <i>for</i> Home Affairs	4
42	Home Affairs	XI/2008 (Art. XVIII)	<b>Sale of knives to under-18's</b> Amend the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003 and the Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2006	Draft legislation was provided to officers working to the Committee for review and feedback. This Resolution remains valid and, should time be available, will be pursued by officers.	Low	Committee <i>for</i> Home Affairs	4

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43	Policy & Resources	XIX/2011 (Art. XI)	<b>States Official Gazette</b> Simplification of legislative requirements for Gazette Officielle publications	The Committee has recently considered the targeted consultation feedback and will present its recommended proposals to the States at the earliest opportunity.	Low	Policy & Resources Committee	4
44	Economic Development	VIII/2021 (Art. I)	<b>Control of the first sale and purchase of fish and shellfish landed in Guernsey</b> Legislation to amend the Fishing Ordinance, 1987	First draft of the legislation sent to officers to the Committee for review and feedback.	Not yet prioritised	Committee for Economic Development	4
45	Employment & Social Security	XV/2020 (Art. XV)	<b>Proposals for a new Discrimination Ordinance</b> Amend existing employment and discrimination legislation to ensure that a consistent approach is taken to offering pre-complaint conciliation with regards its effect on suspending the time limit for registering complaints and to enable other relevant time limits to be amended as may be considered appropriate.	Amendments are included in the draft Prevention of Discrimination (Guernsey) Ordinance.	Not yet prioritised	Committee for Employment & Social Security	4

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46	Home Affairs	XX/2014 (Art. XIII)	<b>Channel Islands lottery</b> New Ordinance under Gambling (Guernsey) Law, 1971 to permit other forms of lottery and allocation of proceeds	This has not yet been prioritised.	Not yet prioritised	Committee <i>for</i> Home Affairs	1
47	Policy & Resources	XXVI/2020 (Art. XII)	<b>King George the Fifth Memorial Playing Field Trust</b> Preparation of a Law to create a statutory trust to consolidate the King George the Fifth Memorial Playing Field Trust and the Friends of KGV Trust, alter the definition of 'King George's Fields' to allow the commercial parts of the trust property to be used as security, remove the Bailiff as Trustee and necessary and ancillary amendments.	This piece of legislation has not yet been prioritised.	Not yet prioritised	Policy & Resources Committee	1
48	Policy & Resources	XXVI/2020 (Art. I)	<b>States of Guernsey Annual Budget for 2021</b> Amendment of the Income Tax (Guernsey) Law, 1975 to clarify that income paid from an international savings plan is	A draft Ordinance is with the Guernsey Association of Pension Providers for comment. Fiduciary Regulations are also required, and they are with the	Not yet prioritised	Policy & Resources Committee	4

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			exempt from tax in the manner set out in paragraphs 4.10 and 4.11 (Proposition 6)	GFSC and industry bodies for comment.			
49	Policy & Resources	XVII/2021 (Art. XVII)	<b>The Bailiwick's Participation in UK Free Trade Agreements</b> Legislation in respect of Free Trade Agreements	This piece of legislation has not yet been prioritised. This Resolution is forward-looking to provide a direction to legislate if it is required to enable the continued implementation of, or ensure continued compliance with obligations arising under, Free Trade Agreements.	Not yet prioritised*	Policy & Resources Committee	1
50	Policy & Resources	XXI/2021 (Art. I)	<b>States of Guernsey Annual Budget for 2022</b> Amendment of the Income Tax (Guernsey) Law, 1975 to provide that an interim assessment of a person's income in respect of a year of charge may be made prior to the commencement of that year.	Draft Ordinance under review by the technical team. Consideration is being given to implementation timeframes for the necessary IT changes to inform an effective date for commencing the legislation.	Not yet prioritised	Policy & Resources Committee	4

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51	States' Assembly & Constitution	XVI/2020 (Art. X)	<p><b>Review of the Code of Conduct for Members of the States of Deliberation</b></p> <p>Amendment of the Reform (Guernsey) Law, 1948 to empower a Commissioner for Standards to be established. Preparation of a new piece of legislation to provide, amongst other things, for the Commissioner's appointment, powers and duties, powers to summons people and to provide records, and offences for failing to appear/provide information.</p>	A policy letter is expected to be presented at the States' Meeting on 29th June, proposing that the Reform (Guernsey) Law, 1948 will be amended to enable the establishment of a Commissioner for Standards and including the substantive new provisions underpinning the role of the Commissioner, rather than the two stage process originally envisaged. It is intended that this Law will be presented to the States before the end of 2022.	Not yet prioritised	States' Assembly & Constitution Committee	4

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