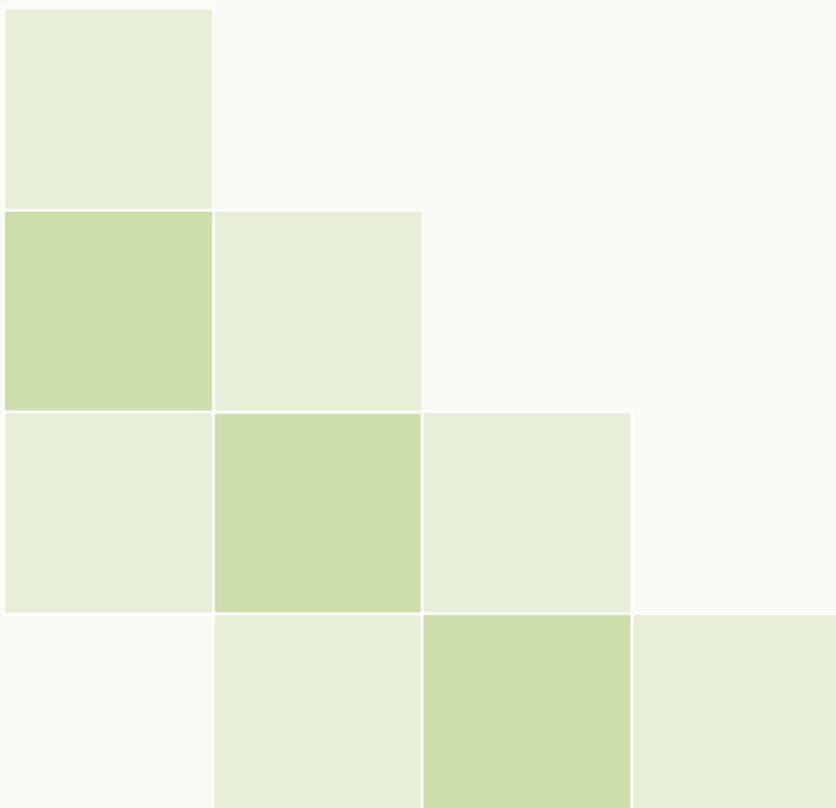
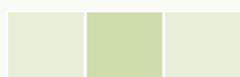


**LAW OFFICERS OF THE CROWN  
ANNUAL REPORT  
2014**



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## Introduction

We are pleased to introduce the Guernsey Law Officers of the Crown 2014 Annual Report. It is our first such Report, and represents our commitment to demonstrating the service we provide on behalf of the Crown and our clients and our support of government in all its facets.

The Law Officers are not in control of the volume, nature and complexity of work requiring attention. Nonetheless we need to be able to respond to ever-changing demands. Direct drivers include new political initiatives, appeals against administrative decisions, other litigation threatened or instituted against government, the number and complexity of crimes committed, requests for international legal assistance received, responses to international initiatives and pressures, States meetings, etc, and of course the abundant daily flow of requests from clients for legal advice and for the preparation of legislation, contracts and other documentation.

Whilst the Law Officers recognise the current financial constraints under which the States of Guernsey operate, we believe that by careful recruitment and making efforts to maximise staff retention we have been able to provide a high quality legal service to users. This is essential for the administration of justice and good government, as well as supporting the best interests of the Crown, our clients, business, the community and the public finances.

We hope this, our first Annual Report, provides clarity about the work and duties members of the Law Officers Chambers have performed over the course of 2014. We look forward to compiling Reports for future years which we recognise are likely to be busy and challenging for all.

We commend our 2014 Annual Report and confirm our commitment to protecting and enhancing the interests of the Bailiwick and its people.

**H.E. Roberts Q.C.**  
*H.M. Procureur*

**M.M.E. Pullum Q.C.**  
*H.M. Comptroller*

**Crown Advocate C. Hookway**  
*Director of Legal Services*



## Executive Summary

The Law Officers Chambers provide a wide range of legal services primarily to :

- the Crown,
- the States of Guernsey,
- the States of Alderney,
- the Chief Pleas of Sark, and
- other public service clients (including a small number of fee paying clients).

Our mission statement is to -

"respond to the needs of the Crown, the States of Guernsey and all others we serve by delivering independent, high quality and pragmatic legal advice, comprehensive legislative drafting, prosecution, litigation and commercial law services and robust representation with efficiency, integrity and professionalism, with the objective of protecting and enhancing the interests of the Bailiwick and its people".

In providing their services in 2014 the two Law Officers were supported by 30 full time legal staff, one legal consultant and 15 support staff (including 4 paralegals). The majority of those members of staff provide services on behalf of the Law Officers of the Crown through 5 specialist teams each of which is headed by a Director. A summary of the services provided and activities undertaken by the teams during 2014 follows.

## Summary of services provided during 2014

### Civil Litigation

The Civil Litigation team provides advice and representation on behalf of the Law Officers in contentious civil, childcare, public and administrative law matters and proceedings brought by or against the States of Guernsey, the States of Alderney and the Chief Pleas of Sark and other public service clients.

In 2014, the team advised and represented the States of Guernsey and external clients in a number of significant cases; many of the cases, some of the details of which cannot be disclosed, were constitutionally significant or dealt with issues which were key to the Bailiwick economy or community life. The team continued to offer and give advice with a view to avoiding litigation (for example regular clinics and training to officers and members) as well as advice and representation in hearings in circumstances where proceedings had been issued.

In the field of child protection, the team handled 13 sets of Community Parenting Order applications during 2014 dealing with the different needs of 21 children at risk. Although a reduction compared with the previous year, this coincides with a sharp increase in support required by the Health and Social Services Department in cases passing through the Child Youth and Community Tribunal as well as private law children cases in which the Courts had sought the involvement of the Health and Social Services Department. The team continued to provide support to the Family Placement Social Work team through the ongoing caseload of adoption applications in the Royal Court. There was a significant increase in the need for representation in emergency applications particularly out of office



hours for which Chambers provides 24 hour cover (and the team was assisted by other legally qualified colleagues on the on call duty childcare rota in this regard).

Public law cases (judicial review and statutory appeals) provided a significant workload during 2014; whilst there is a significant increase in the administrative and advisory burden of dealing with correspondence which threatens proceedings, in many cases, effective response to and management of such correspondence meant it was possible to successfully discourage claims prior to their being issued.

52 debt collection cases were pursued on behalf of States Departments [mainly T&R (via Income Tax) and SSD]. In the overwhelming majority of cases, due to their higher value, cases were issued in the Royal Court. Frequently the writing of a "7 Day Letter" warning of the issuing of proceedings resulted in debtors making prompt contact with the relevant departments in order to negotiate payment terms. Overall £1.2 million was claimed. £518,000 was recovered. The remainder resulted in withdrawal and reassessment and in a small minority of cases the defendants could not be located.

## **Commercial Law**

The Commercial Law team delivers specialised projects, contract drafting, conveyancing services, property and general commercial law support on behalf of the Law Officers to the States of Guernsey, the States of Alderney and the Chief Pleas of Sark and other public service clients.

During 2014 the team advised the States on most if not all of their most significant commercial projects, handled property and general commercial matters and also undertook advisory work to various States Departments, Sark Chief Pleas and the States of Alderney.

These matters included, amongst others the progression of the States Waste Strategy, the Guernsey Public Bus Services Contract, contracts in respect of Guernsey passport activities, the Belle Greve Long and Short Sea Outfall replacement project, La Mare de Carteret School replacement project, the Airport Runway replacement Project and the Wellbeing and Mental Health Facility for Health and Social Services Department. The team also continues to advise on and also assist civil litigation colleagues with some major contractual disputes.

The team's objective is provide high quality commercial advice for the efficient delivery of projects and resolution of disputes, to ensure that the States receives good value for money in the procurement of goods and services, whilst bringing those contracts and budgets on time and under budget.

## **Legislative Drafting and Civil Advisory**

The Legislative Drafting and Civil Advisory teams, on behalf of the Law Officers, draft legislation (primary, secondary and some tertiary) for the Bailiwick and its Islands, and provide legal advice concerning domestic, constitutional, international, public and employment law issues facing the States of Guernsey, the States of Alderney and the Chief Pleas of Sark and other public service clients. Their work was as follows.



## *Legislation*

During the course of 2014, the States of Deliberation approved 8 Guernsey and Bailiwick Projets de Loi, and 40 Guernsey and Bailiwick Ordinances, drafted by members of the two teams. 17 Ordinances drafted by members of the teams were also laid before the States. Approximately 550 pages of Laws and Ordinances were prepared. Notable pieces of legislation prepared and approved included the European Communities (Implementation of Council Regulation on Nutrition and Health Claims) (Guernsey) Ordinance, the European Communities (Implementation of Food Supplements Directive) (Guernsey) Ordinance, the Plant Health (Enabling Provisions) (Guernsey) Law, the Supplementary Benefit (Guernsey) (Amendment) Law and the Financial Services Ombudsman (Bailiwick of Guernsey) Law. A number of important pieces of legislation were also prepared for, and approved by, the States of Alderney and the Chief Pleas of Sark, including the Separation, Maintenance and Affiliation Proceedings (Alderney) (Amendment) Law, the Alderney eGambling (Amendment) Ordinance and the Reform (Sark) (Amendment) Law.

104 statutory instruments were made by States Departments in 2014. Only once before (in 2010 when 120 statutory instruments were made) have more than 100 statutory instruments been made during the course of a calendar year. The increasing number of statutory instruments being made reflects their importance and significance for the Guernsey statute book. Almost all instruments were drafted, or advised upon, during the drafting process, by members of the two teams. Regulations relating to the striking off and annual renewals of Guernsey foundations were made under the Foundations (Guernsey) Law, 2012 in order to complete implementation of Guernsey's foundation regime. The Limited Liability Partnerships Law, 2013 was commenced and given effect by regulations made during the course of the year. Of particular further note was a suite of regulations made under the Animal Welfare (Guernsey) Ordinance, 2012 which commenced the majority of the provisions of the Ordinance and gave effect to 11 Codes of Recommendations for the welfare of specific breeds or types of animal. Statutory instruments were made relating to court fees, traffic, export control, criminal justice, minimum wage regulation, aviation security, health service benefit, social insurance, land planning and development, copyright, companies, the Guernsey Financial Services Commission and in relation to a long list of other topics and bodies.

Projets approved by the 3 Bailiwick legislatures during the course of 2014 continued to proceed for Royal Sanction as efficiently as has perhaps ever been the case in recent years. This positive outcome resulted in part from the improved procedures for submission of Bailiwick Projets for Royal Sanction agreed between the Law Officers of the Crown and the Policy Council and officials from the Ministry of Justice on behalf of HM Government, prior to the start of the year and in particular during 2012. In this regard it should be recorded that as at the end of 2014, only 4 Projets which had been submitted for Royal Sanction during the course of the year still awaited the grant of Sanction by year end and that, of those 4 outstanding submitted items, 3 had been submitted in December when it was too late in any event for them to be dealt with at the final Privy Council meeting of the year.

A full list of resolutions of the States of Deliberation for which legislation drafted by Chambers was approved by the Legislation Select Committee in 2014 is listed in Appendix A.

Members of the Legislative Drafting and Civil Advisory teams also continue to offer advice to the 3 Bailiwick legislatures specifically in relation to issues which arise in relation to proposed



legislation and notably in relation to potential International and Human Rights issues which may arise at the drafting stage. In the latter regard they also regularly liaise with officials from the Ministry of Justice and other UK government Departments, where relevant.

### *Civil advice*

In 2014 advice was given (and, where appropriate, legislative drafting undertaken) by members of the Legislative Drafting and Civil Advisory teams in relation to a wide range of areas including, in particular: Administrative Review Board matters, Alderney (including general constitutional issues), aviation (including air transport licensing policies, air passenger duty, the purchase of the Aurigny jet, the aircraft registry and air navigation), criminal justice (including sexual offenders provisions, sentencing options and prisoners), communications and wireless telegraphy, company law, children law, data protection, ecclesiastical matters, education (including university fees and schools governance), electronic transactions, EU law, financial services (including prospective legislation revision of the regulatory Laws, the Banking Depositor Compensation Scheme, GFSC regulatory fees and the financial services ombudsman), gambling (including advising the Alderney Gambling Control Commission), income tax (including retention tax, double taxation agreements and entrustments), FATCA and related Inter-Governmental Agreements with the US and UK, fisheries (including the related issues of territorial waters and the EEZ), general statutory interpretation, HMRC/GBA information sharing issues, human rights, legal aid, mental capacity and mental health (including the implementation of the 2010 Law), merchant shipping, miscellaneous matters (including the prospective commercialisation of utilities, the implementation of UN/EU sanctions, court enforcement procedures such as *désastre* and *saisie*, and parliamentary privilege), the OECD Global Forum (and related tax information gathering powers), planning and building control, parochial matters (including variation of parochial rates and matters raised in relation to the report of the Parochial Ecclesiastical Rates Review Committee), the Public Trustee, renewable energy, road traffic (including drink driving), safeguarding of vulnerable groups and criminality information (including the rehabilitation of offenders), Sark (including general constitutional issues), social security law, States insurance policy issues, Tax Information Exchange Agreements, treaties and other international agreements, tribunals (including general, and case-specific, advice), and VAT exemption for growers. Waste disposal, and the waste strategy, also generated a considerable volume of advisory work.

In addition, training sessions have been provided for groups including judges, tribunal members, departmental officers and legal practitioners in areas of law such as mental health, children law and Sunday trading. Advocates have also been briefed to appear as *amici curiae* (friends of the court) in Royal Court proceedings and occasional case assistance has been rendered to the Civil Litigation team.

### *Employment law*

The two lawyers in the Civil Advisory team specialising in employment law continued to deal with a high volume of work. They carried out most aspects of advisory and developmental work in this area, including claim management, risk assessment and policy development, as well as detailed case by case advice.



The number of Employment & Discrimination Tribunal claims brought against the States declined in 2014 from the 2013 level (when, out of 5 claims, two were successfully defended and three withdrawn) which may be attributable to the significant degree of success in defending claims, or securing their withdrawal, in previous years. Following risk analysis of claims, they have negotiated a number of claim settlements on beneficial terms, in accordance with their instructions.

Apart from general advice on employment matters, a significant amount of advice was given to departments in respect of sensitive and complex severance and disciplinary matters, as well as departmental reorganisation and staff management. Legal support has been provided on several restructuring projects across the departments and which in one case lead to the successful resolution of an Industrial Disputes referral.

Legal support was also given in the establishment of the Joint Emergency Services Control Centre which included the preparation of contracts and a staff handbook and involvement in panels to address questions put by staff and union representatives.

Advice and assistance has also been provided across departments to draft new style employment contracts and which are now coming into use in several areas of the States. As well as contracts, their employment related drafting workload covers a broad spectrum including precedent letters, compromise and severance agreements, service handbooks, suggested legislative amendments and policies. They delivered regular clinics to States HR staff, provided advice to the Employment and Discrimination Tribunal and frequently advised at political level in respect of legislative processes and development and in relation to particular cases and policy development. Throughout the year they have engaged in numerous high-level meetings with external organisations including union representatives, leading professionals and industry specialists from Guernsey and other jurisdictions.

## **Criminal Prosecution**

The Criminal Prosecution team delivers an independent prosecution service on behalf of the Law Officers by the timely and objective review of cases in accordance with the Prosecutors' Code of Guidance and presenting those cases that are taken to court in a fair, robust and professional manner.

In 2014, in addition to providing pre-charge legal advice in a significant number of increasingly complex cases the team has continued its responsibility for handling cases in the Magistrate's Court and has covered, or been available to cover 8 half day sessions per week.

During 2014 a total of 52 cases were committed from the Magistrate's Court to the Royal Court, compared to 38 cases in 2013.

A total of 45 cases were completed in the Royal Court, involving 51 defendants. The conviction rate in the Royal Court in 2014 was 91%. A broad breakdown of the types of offending behaviour is contained in the table below from which it can be see that drugs remains the highest category of case dealt with and that the number of sexual offences remained constant.



| Category of Offence | Total Number of Cases<br>inc acquittals /<br>no evidence offered<br>(2013) | Total Number of Defendants<br>(2013) | Conviction Rate  |
|---------------------|--|--------------------------------------|------------------|
| DRUGS               | 17 (14)  | 20 (18)                              | 100%             |
| PROPERTY            | 4 (1)  | 4 (1)                                | 100%             |
| VIOLENCE            | 8 (7)  | 11 (8)                               | 88%              |
| SEXUAL OFFENCES     | 11 (6)   | 11 (6)                               | 82%              |
| DRIVING             | 2(2)   | 2 (2)                                | 50%              |
| MISCELLANEOUS       | 3 (5)  | 3 (5)                                | 100%             |
| <b>TOTAL</b>        | <b>45 (35)</b>   | <b>51 (40)</b>                       | <b>91% (98%)</b> |

There is no standard unit of measurement for cases as each one is different. It must also be remembered that numbers only tell a limited story in any set of statistics as they cannot capture the degree of complexity and/or the amount of work that is required in each case, most notably (but not exclusively) in the context of sexual offences involving child victims and financial crime. A smaller number of cases might therefore involve considerably more work than a larger number of relatively straight forward cases that did not, for example, involve any form of confiscation application. Serious economic crime is an area where the volume of work is increasing significantly and this trend will continue.

The confiscation of the proceeds of crime remained of high importance in 2014. Altogether 8 confiscation orders were made in the sum of £13,138.17, being the amount that might be realised from a total benefit figure of £191,245.50.

## Law Officer functions

In 2014, the professional and constitutional duties of the Law Officers of the Crown included the following.

### *Mutual Legal Assistance/ International Matters*

During the course of 2014, the Law Officers Chambers continued to provide mutual legal assistance to numerous overseas jurisdictions. A total of 43 Letters of Request were received and a total of 23 serious fraud notices and/or production orders were served on local persons/entities, 2 court hearings were conducted under the International Co-operation law, to take evidence on behalf of foreign jurisdictions, one restraint order was made, one active restraint order was discharged, and one active restraint order was varied.

### *Coronial functions for the Bailiwick, eg, in connection with deaths, cremations, inquests and post mortems*

The Law Officers (and, in their absence, the *Contrôles Délégués*) were required to authorise the holding of 353 cremations in 2014.

### *Sudden deaths*

In 2014, there was an increase of sudden deaths cases to 99 in 2014 (2013: 71 sudden death



cases) which required the authorisation of post mortems in 34 cases (2013: 41 post mortems) and directing the opening of 12 inquests (2013: 11 inquests) by the Law Officers.

### *Statutory and other functions*

Statutory functions include the fields of mental health, children in care and at risk, and investigatory powers. These and other functions noted above require both Law Officers (and, when sick or absent, the Comptroller's 4 Senior Crown Advocate *délégués*) to provide 24 hour cover.

In relation to mental health, in 2014, the Law Officers (and, in their absence, the *Contrôles Délégués*) were required to authorise 21 Treatment Orders, 20 Assessment Orders, 12 Transfer Orders and 2 Renewal of Treatment Orders for residents of the Bailiwick.

Acting as head of the Guernsey Bar, the Law Officers (and other members of Chambers appointed as examiners) contributed to the 2014 Guernsey Bar Examination syllabus, including the drafting and marking of local exam papers for 2014. The Law Officers are also required to attend certain ceremonial occasions in this capacity, to welcome new aspirants to the Bar before the Royal Court and, where appropriate, to liaise with the Batonnier and Royal Court. 11 aspirants were called to the Guernsey Bar in 2014.

The Law Officers are also required to register Laws, UK Statutory Instruments and Orders of the Royal Court before the Royal Court – 27 such items were registered in 2014.

The Law Officers liaise with and advise the Lieutenant Governor and liaise with the Ministry of Justice, where requested and in relation to the progress of legislation and other constitutional matters. Such advice was requested on a number of occasions in 2014.

As non-voting members of the States of Deliberation the Law Officers attended 13 States meetings in 2014 and advised on constitutional, procedural and legal issues, **as well as** on the preparation of States amendments and requêtes and reports published in Billets d'État.

The Law Officers also carry out the work of HM Receiver-General, a post held by the Procureur, whose functions include the collection within the Bailiwick of Crown revenues and the administration of Crown property (including Jethou), the foreshores (in those places where the Crown possesses the fiefs contiguous with the coast), the seabed (out to the limit of the territorial seas) and those immovable and moveable assets and interests that have escheated to the Crown or devolved as bona vacantia e.g. assets undistributed on the dissolution of a company. As regards companies, there were 65 company queries in 2014, of which 37 related to proposed company migrations and 28 to proposed company restorations.

### *Civil Forfeiture Matters*

In the course of 2014 one civil forfeiture case was concluded.

### **Administration**

During 2014 the administration team continued to provide support in terms of



administration, finance (including independent HMRC accounts), facilities management, information technology, human resources and records management to St James Chambers in order to enable the Law Officers and their staff to perform their duties and meet their respective objectives.

Two members of the team were seconded to one of the Law Officers Chambers key projects, the implementation of the Document Management System.

## Operating Income

Operating Income increased in 2014 by 7% to £255,000 in comparison to £239,000 in 2013; and exceeded the budget projection by 28%. This can be attributed to an increase in legal services provided to a small number of Law Officers' paying clients (N.B. the demand for this fluctuates year on year).

## Operating Expenditure

The net revenue expenditure of the Chambers of the Law Officers of the Crown for 2014 was £4.76m (2013: £4.56m) which was 4% higher than in 2013. Pay costs account for the majority of expenditure which were £158,000 more in 2014 than in 2013 mainly as a result of the annual pay award and incremental progression.

## Staff

The Full Time Equivalent figures for 2014 reflect a slight reduction when compared to 2013, due to one member of staff being on maternity leave and a vacancy during the first quarter of 2014. The figures below do not include two members of staff who are seconded to the Commerce and Employment Department and are included in that Department's figures, or the Crown Advocate retained on a consultancy basis.

| Pay Group                           | 2014                    | 2013        |
|-------------------------------------|-------------------------|-------------|
| Established Staff                   | 39.7                    | 41.0        |
| Public Sector Employees             | 0.4                     | 0.4         |
| Crown Officers                      | 2.0                     | 2.0         |
| <b>Total (Full Time Equivalent)</b> | <b>42.1<sup>1</sup></b> | <b>43.4</b> |

One member of staff was called to the Guernsey Bar in 2014.

Two new members of staff joined in 2014, a Commercial Lawyer and a Personal Assistant, both of whom were filling vacancies held over from 2013.

<sup>1</sup> The figures in the table are based on FTE (Full Time Equivalents) and take account of part time hours, seconded staff (paid by a States department) and unpaid absences (for example, Maternity Leave). This is the figure quoted in the States accounts, and is not equivalent to the head count.



## Senior Management Team

The Law Officers Chambers Senior Management Team comprises the Director of Legal Services, the Directors of the Legislative Drafting, Criminal Prosecution, Civil Litigation, Civil Advisory and Commercial Law teams, the Development and Administration Manager as well as the two Law Officers. The SMT meets on a monthly basis and the Law Officers join the meetings on a quarterly basis (but can input on monthly meetings where required).

Professional 'catch up' meetings between the Law Officers and Directors were trialled in 2013 and since 2014, in addition to the SMT meetings, have been instituted on a monthly basis. This has improved communication at SMT level and aided in understanding the increasingly specialised nature of each Directorate's work (which, given the myriad of issues faced in an increasingly litigious jurisdiction, can often have a knock on effect upon the work of other Directorates).

## Legal Resources website

The Guernsey Legal Resources website (see further below) continued to attract a growing user base in 2014, with site usage continuing to increase. In 2014, 40,172 unique visitors came to the site a total of 85,004 times, which was an increase of 20% on the number of unique visitors in 2013 (33,414), who between them visited the site a total of 74,045 times. Site content has increased through the addition of newly approved legislation and a new section containing UK Statutory Instruments which apply to the Bailiwick. Approximately 85% of visitors to the website are based in Guernsey, Jersey or the U.K. with other visitors coming primarily from the United States, Australia, Switzerland and France.

## Key Projects and Business Improvement

### Document Management system

This project is principally about risk mitigation and ensuring that the ability of Law Officers Chambers to deliver quality advice is not jeopardised by the absence of a legal document and knowledge management capability. Information security has been identified as a key corporate risk and the deployment of a Document Management System will improve the Law Officers Chambers ability to reduce information security risk and ultimately provide effective protection and security of Government data. In 2013 the Law Officers Chambers received funding approval for the procurement and implementation of an industry standard legal Document Management System – HP Autonomy.

In addition, the introduction of a Document Management System will standardise and improve working practices across the Law Officers Chambers, improve communication and aid collaborative working.

During 2014 the project team worked with the appointed supplier on the contractual arrangements and this phase of the project has been work in progress for the majority of the year.



## Legal Resources Website enhancement

The Guernsey Legal Resources Website was launched in March 2009 as a joint initiative between the Law Officers of the Crown and the Royal Court. The main purpose of the website is to provide easy access to a comprehensive range of legal resources including Bailiwick legislation and case reports.

The website has a growing number of users ranging from members of the Guernsey Bar, finance houses, States Departments, and statutory bodies, such as the Guernsey Financial Services Commission. It is also accessed by members of the public, and organisations outside the Bailiwick. It was originally set up without incorporation of any charging system and without specific thought of incorporation of any charging facility.

The aim of the enhancement project is to improve the website through the provision of more content, and improvements to the structure and capabilities of the site, so that it is more closely aligned to equivalent websites in comparable jurisdictions (e.g. Jersey). In addition to this it will be necessary to recover a significant percentage of the associated costs of operating the website in order to provide the improved facility and the income generated will be used to continually develop and enhance the website content to keep pace with other jurisdictions.

During 2014 the project team were engaged in conducting relevant research and producing a business case for funding approval.

## Internal Audit - review of governance and administration

As part of the Internal Audit Unit's 2014 assurance programme, it provided an independent and objective review of the governance and administration at the Law Officers Chambers. The Unit focused on the Law Officers Chambers and its relations with the States of Guernsey and entities falling within the States of Guernsey undertaking, although it was accepted that some of the Law Officers' Chambers activities fall outside this scope. The Law Officers and their staff actively participated in this process.

The Internal Audit Unit's report recognised that the Law Officers will experience a number of challenges over the next few years, including changes to staffing, potential loss of knowledge and experience through retirement of senior colleagues, document storage space and introduction of new technology. The Law Officers Chambers have already taken steps to mitigate the associated risks by introducing a formal risk register, which focusses on managing these risks.

The Internal Audit Unit gave partial assurance to the Law Officers Chambers governance and administration, and suggested a number of recommendations in their report. Some of these recommendations have already been agreed and implemented (for example, a Law Officers of the Crown intranet site has now been uploaded onto the Bridge, the States of Guernsey intranet) and the Law Officers Chambers are working closely with the Internal Audit Unit to work through the remaining recommendations.

The Internal Audit Unit also compiled a customer survey as part of its audit process. The high level summary of findings was as follows -



"5. Overall, the responses received suggest that there are very positive relations between the LOC and its States of Guernsey stakeholders.

6. There were no areas of high concern arising from the survey.

7. We believe that the LOC should consider using the survey responses to inform its communications with current and future stakeholders."

## **Service Guernsey**

Service Guernsey is an operational transformation initiative launched in 2014 being led by the States Chief Executive. It is being adopted by the States of Guernsey, including the Law Officers Chambers. The focus of Service Guernsey is on delivering high quality customer service and value for money and the Law Officers Chambers are committed to this initiative.



## Appendix A

### Resolutions of the States of Deliberation for which legislation was approved by the Legislation Select Committee in 2014

|    | <b>Billet &amp; art. no.</b> | <b>Resolution date</b> | <b>Department</b>                                     | <b>Subject matter &amp; comments</b>   |
|----|------------------------------|------------------------|---|--|
| 1. | XV/2010<br>(art.VI)          | 01.07.10               | HSSD  | <b>Tobacco sales:</b><br>ban on display and restriction on vending machines; tobacco for oral use<br><i>[Ordinance submitted to LSC, but juvenile criminal offences to be reconsidered; Ordinance now approved by LSC]</i>   |
| 2. | XXIII/2010<br>(art.XII)      | 25.11.10               | CED   | <b>Depositor compensation scheme:</b><br>amend Banking Deposit Compensation Scheme Ordinance<br><i>[Ordinance approved by LSC]</i>   |
| 3. | IV/2012<br>(art.VIII)        | 22.02.12               | HousD   | <b>Housing register - Randall's Brewery at Les Vauxlarens:</b><br>Ordinance to authorise inscription on Register<br><i>[Projet approved by LSC]</i>  |
| 4. | IV/2012<br>(art.XV)          | 24.02.12               | PERRC<br>[Parochial Ecclesiastical Rates Review C'ee] | <b>Parish churches and rectories:</b><br>implement PERRC report - (i) vest rectories in Constables; (ii) vest Torteval church hall and St Martin community centre in Constables; (iii) amend Taxation Paroissiale Law, 1923; (iv) amend Reserve Funds Law<br><i>[Projet approved by LSC]</i> |
| 5. | V/2012<br>(art. VI)          | 07.03.12               | SSD   | <b>Supplementary benefit - amendments to 1971 Law</b><br>Modernisation policy<br><i>[Projet approved by LSC]</i>   |
| 6. | XXI/2012<br>(art.V)          | 01.11.12               | CED   | <b>Aviation - aircraft registry:</b><br>Law to give effect to proposals<br><i>[Two Projets approved by LSC on 08.10.12; one on 22.04.13; Ordinance enacted by LSC on 23.01.14; and Ordinances approved by LSC on 24.11.14 and 23.02.15]</i>  |
| 7. | XXIII/2012<br>(art.VII)      | 28.11.12               | CED   | <b>Companies Law:</b><br>miscellaneous amendments to Law of 2008 - restoration of dissolved companies<br><i>[Ordinance approved and enacted by LSC]</i>  |



|     |                                |  |       |  |
|-----|--------------------------------|--|-------|--|
| 8.  | XXIII/2012<br>(art.VIII)       | 29.11.12                                   | HSSD  | <b>Tobacco controls:</b><br>licensing of sale and supply of tobacco;<br>provisions re confiscation, price<br>displays, importation and sale of packs<br>of less than 20, and enforcement<br>powers for HSSD officers [and see<br>substituted appendix 1, "revised<br>licensing framework"]<br><i>[Ordinance submitted to LSC but juvenile<br/>criminal offences to be reconsidered:<br/>see resolution of 29.07.14;<br/>Ordinance now approved by LSC]</i> |
| 9.  | XV/2013<br>(art.XIV)           | 30.07.13<br>[deferred to<br>24.09.13]      | HousD | <b>Housing Register - Hotel des<br/>Carterets:</b><br>Ordinance to authorise inscription on<br>Register<br><i>[Ordinance approved by LSC]</i>  |
| 10. | XX/2013<br>(Vol. 1<br>art.IX)  | 30.10.13                                   | PC    | <b>European Communities Law, 1973:</b><br>amend definition of treaties to include<br>Lisbon treaty and Croatia accession<br>treaty<br><i>[Ordinance approved by LSC]</i>   |
| 11. | XX/2013<br>(Vol. 2<br>art.XII) | 27.11.13<br>[deferred<br>from<br>30.10.13] | CED   | <b>Financial Services Ombudsman:</b><br>establish by legislation<br><i>[Projet approved by LSC]</i>  |
| 12. | XXI/2013<br>(prop. 16)         | 29.10.13                                   | TRD   | <b>States trading companies:</b><br>amend Ordinance to require GP & GE<br>accounts to be submitted to States<br><i>[Ordinance approved by LSC]</i>   |
| 13. | XXIV/2013<br>(art.IX)          | 11.12.13                                   | TRD   | <b>Income tax:</b><br>miscellaneous amendments to 1975<br>Law<br>[and see items below]<br><i>[Ordinance approved by LSC]</i>   |
| 14. | XXIV/2013<br>(art.IX)          | 11.12.13                                   | TRD   | <b>Income tax:</b><br>amend s. 39D of 1975 Law by<br>retrospective enactment<br>[and see item below]<br><i>[Projet approved by LSC]</i>  |
| 15. | XXIV/2013<br>(art. IX.1)       | 11.12.13                                   | TRD   | <b>Income tax - TIEA's:</b><br>information notices under 75B not to<br>name taxpayer in all circumstances<br><i>[Ordinance approved by LSC]</i>  |
| 16. | XXIV/2013<br>(art.XII)         | 11.12.13                                   | CED   | <b>Electronic transactions:</b><br>amend Law of 2000 to clarify "statutory<br>declaration" and to require electronic<br>submission of GFSC PQ's & PD's<br><i>[Ordinance approved by LSC]</i>   |



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| 17. | XXV/2013<br>(art.II)       | 11.12.13                              | TRD   | <b>Income tax:</b><br>OECD multilateral Conv on MAA on Tax Matters implementation; automatic tax information exchange<br><i>[Ordinance approved by LSC]</i>  |
| 18. | I/2014<br>(art.VII)        | 30.01.14                              | PSD   | <b>Wastewater charges:</b><br>amend 2009 Law - charges for domestic and non-domestic properties with private water supplies<br><i>[Ordinance approved by LSC]</i>  |
| 19. | I/2014<br>(art.VIII)       | 29.01.14                              | HomeD | <b>Drink driving:</b><br>high risk drink driver scheme; amend driving licences ordinance, 1995<br><i>[Ordinance approved by LSC]</i>   |
| 20. | III/2014<br>(art.IV)       | 26.02.14                              | HSSD  | <b>Public Health Law 1934 and Ordinance 1936:</b><br>amendment; and enactment of public health enabling provisions Law<br><i>[Ordinance approved by LSC]</i>   |
| 21. | V/2014<br>(art.II)         | 26.03.14                              | PC    | <b>CISX - stock exchange immunity from liability:</b><br>Ordinance under POI Law conferring limitation of liability on new exchange<br>[CISEAL]<br><i>[Ordinance approved and enacted by LSC]</i>                                |
| 22. | IX/2014<br>(Vol. 1 art.VI) | 30.04.14<br>[deferred to<br>14.05.14] | EnvD  | <b>Integrated Island transport strategy:</b><br>extensive legislative proposals (eg, on licensing, a carbon tax and wide vehicle duty)<br><i>[Ordinance approved by LSC]</i>   |
| 23. | IX/2014<br>(Vol. 2 art.IX) | 30.04.14                              | HomeD | <b>Criminal justice legislation:</b><br>amendments to CJ (Proceeds of Crime), Drug Trafficking, Disclosure, Terrorism and Merchant Shipping Laws<br><i>[Ordinances for first four items, and Projet for MS, approved by LSC]</i> |
| 24. | X/2014<br>(art.VII)        | 28.05.14                              | TRD   | <b>Income tax - tax relief on interest paid:</b><br>mortgage relief capped at £25,000 per person<br><i>[Ordinance approved by LSC]</i>   |
| 25. | XII/2014<br>(art.IV)       | 25.06.14                              | HSSD  | <b>Responsible officers to recommend GMC revalidation of doctors practising locally:</b><br>amend 1987 ordinance relating to registration of medical practitioners<br><i>[Ordinance approved by LSC]</i>                         |



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| 26. | XII/2014<br>(art.V)             | 25.06.14 | HomeD | <b>Fire Services Law 1989 - various amendments:</b><br>fees for certain services and use of equipment; notification in relation to controlled premises<br><i>[Projet approved by LSC]</i> |
| 27. | XX/2014<br>(Vol. 1<br>art.VII)  | 24.09.14 | PC    | <b>Charities and Non Profit Organisations:</b><br>miscellaneous amendments to Charities and NPO's Registration Law 2008 and 1975 IT Law<br><i>[Ordinance approved by LSC]</i>             |
| 28. | XX/2014<br>(Vol. 1<br>art.VIII) | 24.09.14 | TRD   | <b>Income tax:</b><br>miscellaneous amendments to 1975 Law and ETI regulations<br><i>[Ordinance approved by LSC]</i>  |
| 29. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Social insurance rates:</b><br>annual uprating and changes in upper and lower limits<br><i>[Ordinance approved by LSC]</i>   |
| 30. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Attendance &amp; invalid care allowances [now severe disability benefit and carer's allowance]:</b><br>annual uprating<br><i>[Projet &amp; Ordinance approved by LSC]</i>              |
| 31. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Health service benefit - prescription charges:</b><br>annual uprating<br><i>[Ordinance approved by LSC]</i>  |
| 32. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Supplementary benefit:</b><br>annual uprating<br><i>[Projet &amp; Ordinance approved by LSC]</i>   |
| 33. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Long-term care:</b><br>annual uprating<br><i>[Ordinance approved by LSC]</i>   |
| 34. | XXI/2014<br>(art.V)             | 29.10.14 | SSD   | <b>Health service benefit - specialist medical charges:</b><br>extension of benefit - visiting medical specialists<br><i>[Ordinance approved by LSC]</i>                                  |
| 35. | XXII/2014<br>[proposition 2]    | 29.10.14 | TRD   | <b>Income tax [budget]:</b><br>increase annual fee for income tax exempt bodies to £1,200<br><i>[Ordinance approved and enacted by LSC]</i>   |
| 36. | XXII/2014<br>[proposition 3]    | 29.10.14 | TRD   | <b>Income tax [budget]:</b><br>enact s. 40 exemption for first £50 of savings account interest<br><i>[Ordinance approved and enacted by LSC]</i>  |



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| 37. | XXII/2014<br>[proposition 4] | 29.10.14 | TRD   | <b>Income tax [budget]:</b><br>reduce cap on tax relief on interest paid<br>for PPI to £15,000<br><i>[Ordinance approved and enacted by LSC]</i> |
| 38. | XXIV/2014<br>(art.XIII)      | 26.11.14 | PC    | <b>Insurance Business</b><br>Removal of current solvency<br>requirements for insurance businesses<br><i>[Ordinance approved by LSC]</i>          |
| 39. | XXVII/2014<br>(art.III)      | 26.11.14 | HomeD | <b>Criminal justice - AML and CFT:</b><br>amendment of Disclosure and<br>Terrorism and Crime Laws<br><i>[Ordinances approved by LSC]</i>         |

