

# **STATES OF ALDERNEY**



# **BILLET D'ETAT**

WEDNESDAY 25<sup>TH</sup> APRIL 2018

Price: £2.10

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#### **FOR WEDNESDAY 25<sup>TH</sup> APRIL 2018**

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5:30 pm on Wednesday 25<sup>th</sup> April 2018. This will be preceded by the People's Meeting, which will be held on Wednesday 18<sup>th</sup> April 2018 at 7:00 pm in the Island Hall.

W Stuart Trought  
President

#### **Item I      Organ Donation – Opt Out Basis**

**The following letter was received from James Dent, Chairman of the Policy and Finance Committee:-**

*“At its meeting on the 20<sup>th</sup> February 2018, the Policy and Finance Committee resolved to:*

***“Note(d) the planned consultation on the prospect of organ donation to be on an opt-out basis and agreed to arrange for this to be submitted to the States for debate without resolution.”***

*Currently we have an “opt-in” system for organ donation, which means that people who wish to donate in the event of their death need to make their wishes clear. This can be by telling family or friends, giving their consent through their driving licence, or joining the NHS Organ Donor Register. However, there are many people who, although they do believe in organ donation, have not joined the Organ Donor Register. Without making this express decision, it is more difficult for doctors to establish a patient’s wishes and more difficult for family and friends to honour them.*

*In Guernsey, the initial thinking has been to reflect recent changes made in Wales, which have resulted in an increase in donations, and move towards a deemed consent or soft opt-out system. We understand that the Scottish Government is considering similar action. If we follow, this will mean that we assume all islanders wish to donate their organs if possible when they die unless they have requested to be removed from the register, either totally, or with respect to particular organs. Central to the system, must be ensuring that sensitive processes are in place both to enable all islanders to have the opportunity to record their decision clearly and for families to be consulted before organs are taken.*

*In Wales, deemed consent does not apply to:- anyone under 18, people from Wales who die in another part of the UK and individuals who are not thought to have the mental capacity to make a decision on whether or not to be an organ donor. We would need to consider the need for similar caveats. There might of course be others that we would wish to incorporate.*

*The Guernsey consultation closed on 23<sup>rd</sup> March, but it is not expected that results will be published before June.*

*Members are invited to provide their own views and it is hoped that the debate will encourage wider debate in the community.*

*I would be grateful if you would put this paper before the States for debate without resolution.*

*James Dent, Chairman”*

**The States of Alderney is asked to debate the matter without resolution.**

**Item II      Alderney Partnership Law**

**The following letter was received from James Dent, Chairman of the Policy and Finance Committee:-**

*“Unlike Jersey and Guernsey, Alderney has no legislation in place which defines ‘partnerships’ or ‘limited liability partnerships’. In Guernsey, there are three types of partnership - an ordinary ‘trading’ partnership, a limited partnership, and a limited liability partnership.*

*There are potential business opportunities for the Island as a result of the introduction of an Alderney Partnership Law which, in addition to permitting standard partnerships to be set up in the Island, would also effectively allow a partnership to exist which could be registered and administered in the Island by an ‘administrative’ partner with limited liability but with the active partners operating in another jurisdiction.*

*In any such legislation, there are reputational risks to take into account. Therefore, the proposed Alderney Partnership Law would require that, as part of the legislation, all partners were properly identified and their full details registered with the relevant regulatory authorities in both Alderney and Guernsey.*

*The Policy and Finance Committee considers that there is merit in the introduction of such legislation on the basis that it would offer the opportunity for new business to come to the island and contribute both to the local economy and, ultimately, to Bailiwick revenues.*

*I would be grateful if you would place this matter before the next meeting of the States of Alderney with an appropriate proposition.*

*James Dent, Chairman”*

**The States of Alderney is asked to approve the preparation of an Alderney Partnership Law in principle subject to appropriate preparatory policy work and consultation being undertaken.**

**Item III**      **Armed Forces Covenant**

**The following letter has been received from The President, Mr Stuart Trought:-**

*“Would the Members please note that as agreed at States in Committee Meeting of 15<sup>th</sup> March 2018, the Armed Forces Covenant has been duly signed by The President Mr W Stuart Trought on behalf of The States and the people of Alderney, and by Lieutenant Colonel Mike Fayers on behalf of the 30<sup>th</sup> Signals Regiment.”*

**Item IV**      **Questions and Reports**

**The following questions were received from Mr Birmingham, Chairman of the Building and Development Control Committee:-**

*“Does the Chairman of Policy and Finance Committee agree with me that his committee now has a clear process to designate that a project has strategic importance to the island and are thereby able to steer such project towards the proper planning approval process?”*

*Also given the Chairman of P&F’s publically expressed views on the need for Governance reform, does he believe that there are lessons to be learned from the consultative processes with the public used for both the LUP and the associated reform of the Building and Planning Law that might be applied to a reform of Governance?”*

**Issued: 13<sup>th</sup> April 2018**