

# Alderney Official Gazette

VOLUME TWENTY SIX

25<sup>th</sup> October 2019

No 39

IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of October 2019 before Sir Richard Collas, sitting alone

IN THE MATTER OF  
HARCOURT LIFE IRELAND DESIGNATED ACTIVITY COMPANY

-AND-

IN THE MATTER OF  
UTMOST IRELAND DESIGNATED ACTIVITY COMPANY

-AND-

IN THE MATTER OF  
UTMOST PANEUROPE DESIGNATED ACTIVITY COMPANY

-AND-

IN THE MATTER OF  
SECTION 44 OF THE INSURANCE BUSINESS  
(BAILIWICK OF GUERNSEY) LAW, 2002

**UPON** the application dated 5 September 2019 heard on 22 October 2019 (the "**Application**") pursuant to Section 44 of the Insurance Business (Bailiwick of Guernsey) Law, 2002 (the "**Law**") for the sanction of the Guernsey Scheme attached hereto for the transfer to Utmost PanEurope Designated Activity Company (the "**Transferee**") of certain policies of Harcourt Life Ireland Designated Activity Company and Utmost Ireland Designated Activity Company (the "**Transferors**")

**AND UPON** hearing Advocate Friedlaender, Counsel for the Applicants

**AND UPON** calling for opposition, in the absence of any opposition being noted

**AND UPON** reading the first affidavit of Henry O'Sullivan sworn on 30 August 2019 and his Second Affidavit sworn on 16 October 2019 and other affidavits filed of record

**AND IT APPEARING** that the Application was accompanied by a report (the "**Independent Expert's Report**") on the terms of the Guernsey Scheme by an independent actuary, Fergal O'Shea, a Fellow of the Society of Actuaries in Ireland and a consulting actuary at Willis Towers Watson (Ireland) Limited dated 12 July 2019. **AND IT APPEARING** that a statement (the "**Guernsey Pensions Policyholder Pack**") has been dispatched to Transferring Guernsey Policyholders in accordance with Section 45(3)(b) of the Law and as specified by the Guernsey Financial Services Commission (the "**Commission**") in its letter dated 23 August 2019 as subsequently amended.

**AND IT APPEARING** that a copy of the Application, the Independent Expert's Report as well as the Supplementary Independent Expert's Report and the Guernsey Pensions Policyholder Pack have been served on the Commission pursuant to Section 45(3)(c) of the Law.

**AND IT APPEARING** that copies of the Application and of the Independent Expert's Report have been available for inspection by policyholders or their proxies at an address in Guernsey set out in the Notice throughout the period since the Notice was last published and that copies of the Independent Expert's Report have been available for collection there during that period.

**AND IT APPEARING** that certain minor amendments have been made to the Irish Scheme which forms the Appendix to the Guernsey Scheme but no amendments have been made to the Guernsey Scheme.

**AND UPON READING** a letter from the Commission dated 18 October 2019 and upon the Court being satisfied pursuant to Section 46(a)(ii) of the Law that the Transferee is licensed to carry on insurance business of the descriptions concerned in the country outside the Bailiwick where the Transferee is to undertake its obligations under the policies to be transferred to it.

**AND IT APPEARING** from the letter from the Commission dated 18 October 2019 that the Commission has certified in accordance with Section 46(b)(ii) of the Law that the Central Bank of Ireland (being the "relevant supervisory authority in the country concerned") have been notified of the Guernsey Scheme by the Commission and have not refused consent to the transfer.

**AND UPON** the Transferors and the Transferee by their Counsel undertaking to be bound by the Guernsey Scheme hereinafter sanctioned and to execute all such documents and do all such acts and things as may be necessary or expedient to be executed or done by them for the purposes of giving effect to the Guernsey Scheme.

**THE COURT HEREBY** sanctions the Guernsey Scheme pursuant to Section 44 of the Law.

**AND IT IS ORDERED THAT** pursuant to Section 48 of the Law (definitions are as set out in the Guernsey Scheme), on and with effect from the Guernsey Effective Date being 22.59BST on 31 October 2019, the Transferring Guernsey Business and Residual Guernsey Assets and the Residual Guernsey Liabilities shall be transferred to and be vested in the Transferee in accordance with the Guernsey Scheme by this order and without any further act or instrument.

**AND IT IS FURTHER ORDERED** that the Transferors and the Transferee shall, within a period of 10 days from the date of this Order, or such longer period as the Commission may allow, deposit an office copy of the Order with the Commission.

**AND IT IS FURTHER ORDERED THAT** notice of the making of this Order shall be published once in La Gazette Officielle, the Alderney Gazette and the Sark Notice Box.

**AND IT IS FURTHER ORDERED THAT** the Transferors and the Transferee shall have liberty to apply to the Court for the purposes of Section 44 of the Law and generally.

Her Majesty's Deputy Greffier

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#### **NOTICE OF APPLICATION FOR eGAMBLING LICENCES AND ASSOCIATE CERTIFICATES**

An application for a Category 2 eGambling Licence dated 18<sup>th</sup> June 2019 has been made to the Alderney Gambling Control Commission ("the Commission") under the Alderney eGambling Ordinance, 2009 and the Alderney eGambling Regulations, 2009 by —

GBE Technologies Alderney Limited

whose registered office is —

INCHALLA, LE VAL, ALDERNEY, CHANNEL ISLANDS, GY9 3UL

Any person wishing to raise any objection to this application so that the objection shall be considered by the Commission in accordance with regulation 23, 30 or 74 of the Alderney eGambling Regulations, 2009 should, within **14 days** of the date of publication of this notice, deliver or send to the offices of the Commission a written statement of the objection and the grounds on which it has been raised.

Signed: Balchan Secretaries Limited

for and on behalf of GBE Technologies Alderney Limited

Dated: 23<sup>rd</sup> October 2019

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## **BUILDING AND DEVELOPMENT CONTROL COMMITTEE**

### **CURRENT PLANNING APPLICATIONS**

The following Planning Applications have been received by the Building and Development Control Committee. Any person may inspect the plans in the States Planning Office, Island Hall as of Monday, 28<sup>th</sup> October 2019.

<b>REF NO</b>	<b>NAME OF APPLICANT</b>	<b>LOCATION</b>	<b>DESCRIPTION</b>
PA/2019/108	Mr N Payne	12 Val Reuters,	Cut down 4 Conifers growing as a group
PA/2019/109	Mr & Mrs J Richardson	Bluestones, Route des Carriers	Remove 3 dangerous Birch trees and 1 Hawthorne and replace elsewhere in garden
PA/2019/110	Mrs J Boughton-Leigh	Rose Farm, Le Grande Val	Extension to downstairs cloakroom

**ANY PERSON WISHING TO MAKE REPRESENTATIONS ABOUT THE APPLICATION SHOULD SUBMIT THEM IN WRITING (OR BY EMAIL) TO THE PLANNING OFFICE, STATES OF ALDERNEY, BY MONDAY 18<sup>TH</sup> NOVEMBER 2019. ANY REPRESENTATIONS RECEIVED AFTER THIS DATE WILL NOT BE PROCESSED.**

Letters (or emails) of representation should be about the proposed development and not about the applicant. Please note that letters (and emails) of representation are not treated as confidential by the Committee, and will be disclosed to the applicant.

3<sup>rd</sup> October 2019

Tissie Roberts

Planning Support Officer

For and on behalf of the Building and Development Control Committee

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