



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Monday, 4th October 2021

*All published Official Reports can be found on the
official States of Alderney website www.alderney.gov.gg*

Volume 9, No. 11

Present:

Mr William Tate, President

Members

Mr Bill Abel

Ms Annie Burgess

Mr Ian Carter

Mr Rhys Jenkins

Mr Boyd Kelly

Mr Graham McKinley, OBE

Mr Steve Roberts

Mr Alexander Snowdon

The Greffier of the Court

Mr David Knight

Business transacted

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States of Alderney

*The States met at 2.30 p.m. in the presence of
Lieutenant G T Workman RN (Rtd), a representative of
His Excellency the Lieutenant-Governor of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

Procedural

The President: I think before we proceed to deal with the matter set out on the Billet I should, for the purposes of *Hansard*, just explain that this meeting has been convened in accordance with Rule 3 of the Rules of Procedure for the States of Alderney. And Rule 3 indicates that:

... where in the opinion of the President, a decision of the States is urgently required in any matter ... he may issue a Billet d'État dealing with that matter only, which shall be available to each Member of the States not later than the 4th day before the day fixed for the meeting.

5 Now, we have our October meeting on the 20th, but this meeting has been called following receipt by me of a letter last week from Deputy Helyar of the States of Deliberation asking that the matter which is set out in the Billet is dealt with as quickly as possible; and I am sure that Mr Carter will in due course explain the urgency of the matter. But I am satisfied, given that letter from Deputy Helyar, that the provisions of Rule 3 should be invoked and, accordingly, the Billet
10 was issued.

So that is the explanation for why we have the meeting this afternoon. It is not an extraordinary meeting of the States, it is simply a meeting of the States which is convened with the provisions of Rule 3 having been applied.

Convenor's Report of the People's Meeting held on 4th October 2021

15 **The President:** So, that being the case: Mr Carter, you were the Convenor at the People's Meeting. Could you just briefly give us the details of the people who were in attendance?

Mr Carter: Yes, Mr President.

There was yourself, there were four members of the press, six members of the public, seven States Members and the Chief Executive.

20 **The President:** Thank you very much indeed.

Billet d'État for Monday, 4th October 2021

I. The Bailiwick's Participation in UK Free Trade Agreements – Approved

Item I:

The States of Alderney is asked:

1. To agree that Alderney's participation in any Free Trade Agreement ("FTA") (or other trade arrangement) should –

a) meet Alderney's needs, while respecting the constitutional relationship with the UK through the Crown and Alderney's domestic autonomy; and,

b) be underpinned by the principles of relevance, proportionality, and practicality, taking into account the island nature of Alderney, its size and population, and unique needs arising out of the same.

2. To note the intention to establish a process to enable effective consultation between the Bailiwick authorities in relation to participation in any FTA (or other trade arrangement).

3. To authorise the Policy & Resources Committee of the States of Deliberation to maintain efforts on behalf of Alderney to ensure that Alderney's interests (and those of the wider Bailiwick) continue to be represented to the UK during negotiations in relation to any FTA (or other trade arrangement).

4. To authorise the Policy & Resources Committee of the States of Deliberation to agree to Alderney's participation in UK FTAs (or other trade arrangements) and signal that agreement to HM Government.

5. To note the process and approach (set out in Paragraphs 2.5-2.7 and 2.18-2.33 of the Policy Letter) regarding Guernsey's (and the wider Bailiwick's) participation in UK FTAs (or other trade arrangements) and the issues and considerations of particular relevance to Alderney (as set out in paragraphs 2.34 to 2.40 of the Policy Letter) and to agree to establish a similar process and approach regarding Alderney's (and the wider Bailiwick's) participation in UK FTAs (or other trade arrangements).

6. To agree that there shall be implemented such measures (including legislative measures) as the Policy and Finance Committee thinks fit for the purpose of ensuring that Alderney may comply and remain in compliance with obligations that arise from participation in any UK FTA (or other trade arrangements).

7. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The President: Now then, Mr Greffier, I think we can deal with Item I on the Billet.

The Greffier: Item I is the Bailiwick's Participation in UK Free Trade Agreements. The States of Alderney is asked: 1. To agree that Alderney's participation in any Free Trade Agreement or other trade arrangement should (a) meet Alderney's needs, while respecting the constitutional relationship with the UK through the Crown and Alderney's domestic autonomy; and, (b) be underpinned by the principles of relevance, proportionality, and practicality, taking into account the island nature of Alderney, its size and population, and unique needs arising out of the same.

2. To note the intention to establish a process to enable effective consultation between the Bailiwick authorities in relation to participation in any Free Trade Agreement or other trade arrangement.

35 3. To authorise the Policy & Resources Committee of the States of Deliberation to maintain efforts on behalf of Alderney to ensure that Alderney's interests, and those of the wider Bailiwick, continue to be represented to the UK during negotiations in relation to any Free Trade Agreement, or other trade arrangement.

4. To authorise the Policy & Resources Committee of the States of Deliberation to agree to Alderney's participation in UK Free Trade Agreements, or other trade arrangements, and signal that agreement to HM Government.

40 5. To note the process and approach set out in Paragraphs 2.5-2.7 and 2.18-2.33 of the Policy Letter, regarding Guernsey and the wider Bailiwick's participation in UK Free Trade Agreements, or any other trade agreement, and the issues and considerations of particular relevance to Alderney, as set out in paragraphs 2.34 to 2.40 of the Policy Letter, and to agree to establish a similar process and approach regarding Alderney's and the wider Bailiwick's participation in UK
45 Free Trade Agreements, or other trade arrangements.

6. To agree that there shall be implemented such measures, including legislative measures, as the Policy and Finance Committee thinks fit for the purpose of ensuring that Alderney may comply and remain in compliance with obligations that arise from participation in any UK Free Trade Agreement, or other trade arrangements.

50 7. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

This is proposed by Mr Carter and seconded by Mr Abel.

55 **The President:** Mr Carter, were there any observations at the People's Meeting on this Item?

Mr Carter: There were four. The first was regarding the ability for myself or the Chair of P&F to assure people that Guernsey and Alderney may have differing priorities and differing objectives that proper legal advice has been obtained in regard to the adequacy of those provisions being put to the States.

60 A second observation was regarding the September Billet, and why this particular letter was not on the September Billet.

Thirdly, whether or not there was effectively communication between the Bailiwick of Jersey and the Bailiwick of Guernsey regarding its one voice of the Channel Islands to the UK.

Those, I feel, were the key points with regard to the questions raised.

65 **The President:** Thank you very much indeed, Mr Carter.

So, Mr Carter, you are going to propose this Item, as the Deputy Chairman of the Policy and Finance Committee, which is provided for in Rule 12 of the Rules of Procedure.

70 **Mr Carter:** Thank you.

This letter has been received and is, as people are very aware, extensive in terms of its scope and the result of much work undertaken by the States of Guernsey in conjunction with the UK government with regard to Free Trade Agreements across the world. It effectively puts in place a framework which enables us to be part of, if we so desire.

75 Effectively each of the three jurisdictions within the Bailiwick – ourselves, Sark and Guernsey – have to sign up for this, if we want to. The issues with regard to not signing up are, in my opinion, somewhat difficult and would make our position in the world going forward extremely difficult.

80 By signing up with the Bailiwick, allowing Guernsey to do all negotiations on our behalf with regard to Free Trade Agreements via the UK, that is a capacity issue for us. We could not, in any shape or form, be able to do anything in this regard. What is key though is there is, with regard to opt-outs throughout the agreement, this Policy Letter – we can actually make our position known and we may opt-out if we feel it is not in our interest to do so. So, hence, a brief regarding what is a complex agreement.

85 I would urge you to support it in terms of we do not have the capacity to do this on our own.
It shows the relationship of the Bailiwick regarding its ability to work as a group of Islands for the
benefit of each other. And, with regard to the UK, we still have that opt-out agreement where we
can withdraw, if we want to, with regard to any specific agreement.

That rests my case, sir.

90 **The President:** Perhaps, Mr Carter, you could just confirm why this was an *urgent* matter?

Mr Carter: Yes, sir, with regard to the signing of this agreement, this *has* to be with the UK
certainly by the end of the month. If we did not agree to this now it would be too late and we
would, by default, be outside those agreements. That would be highly problematic.

95 **The President:** Thank you, Mr Carter.
Mr Abel, do you have anything to add?

100 **Mr Abel:** I have not got anything to add, Mr President, but I would like to reserve my right to
speak, if I need to.
Thank you.

The President: Would anybody like to speak on this Item?
Back to you, Mr Abel.

105 **Mr Abel:** Thank you, Mr President.
I think, obviously, as seconder I support this and urge Members to vote and accept these
Propositions.
Thank you, Mr President.

110 **The President:** Thank you.
I am assuming, Mr Carter, you have nothing to add?

115 **Mr Carter:** I have nothing to add. The responses were quite brief, so nothing further to add.
Thank you.

The President: In that event we can take a vote.

The Greffier: If we can take a vote as a whole, Mr President.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Abel	None	None
Ms Burgess		
Mr Carter		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

120 **The Greffier:** That passes unanimously, Mr President.

The President: Then that concludes this afternoon's business, so if you would care to close the
meeting, please.

PRAYERS

The Greffier

The Assembly adjourned at 2.41 p.m.