



## **BILLET D'ETAT FOR 21-09-2005**

**Date: 20th September, 2005**

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5.30 p.m. on Wednesday, 21st September, 2005. This will be preceded by the People's Meeting which will be held on Wednesday, 14th September 2005, at 7.00 p.m. in the Island Hall.

Sir Norman Browse  
President

### **Item I Committee of Management of St Anne's School: Representative Member appointed by the States of Alderney**

The following letter has been received from Colonel Walter, Chairman of the Policy and Finance Committee: -

"The Standing Orders for the Committee of Management of St Anne's School provide for there to be a Committee of Management. One representative member is appointed by the States of Alderney. At its meeting on 30 January 2003 the States resolved that the Policy and Finance Committee be directed to appoint a representative member to the Committee of Management from among members of the Policy and Finance Committee. The Policy and Finance Committee has the mandate to liaise and negotiate with the States of Guernsey on all matters relating to the transferred services and special responsibility for Education was assigned to Mr Ralph Burridge. Mr Burridge was also appointed by the Committee as the representative member on the Committee of Management.

Although the Policy and Finance Committee was directed by the States to appoint a representative to the Committee of Management, it does not seem that it was a standing direction. Accordingly, it is not believed that the Policy and Finance Committee is empowered to make a further appointment unless the direction to it to do so is renewed.

I would be grateful if you could place this matter before the States at its September meeting with a suitable proposition.

P. F. Walter  
Chairman"

The States are asked to direct the Policy and Finance Committee to appoint from among its members a representative to the Committee of Management of St Anne's School for a term of office ending on 31 January 2008.

## **Item II The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005**

The following letter dated 22nd July, 2005 has been received from the Bailiff: -

"I enclose a copy of a letter dated the 21st January, 2004, addressed to the President of the States by the President of the then States Board of Health concerning a proposal to reclassify cannabis from a class B to class C drug under the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974.

On the 26th February, 2004, the States of Deliberation resolved as follows: -

"1. That the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended shall be further amended as follows: -

that the maximum penalties for Part III Class C drugs under Section 3(2) for the production, Section 3(3) for supplying and offering to supply and Section 4(3) offences (possession with intent to supply), shall be increased from 10 years or a fine or both to 14 years or a fine or both and that the maximum penalties for Section 5(2) cultivation of the cannabis plant shall be reduced from life or a fine or both to 14 years imprisonment or a fine or both;

2. TO NEGATIVE THE PROPOSITION THAT the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended, shall be further amended as follows:-

(a) that the maximum penalty for possession of a Class C drug shall be reduced from 4 years imprisonment or a fine or both to 2 years imprisonment or a fine or both;

(b) that following the change proposed in proposition 1 above to the maximum penalties, cannabis and cannabis resin shall be transferred from a Part II Class B drug to a Part III Class C drug under that Law.

3. To direct the preparation of such legislation as may be necessary to give effect on their decision in Resolution 1 above."

On the 29th June, 2005, the States of Deliberation approved a Projet de Loi entitled "The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005", which gives effect to Resolution 1 above.

I enclose twenty-five copies of the Projet de Loi and shall be obliged if you will place it before the States of Alderney for their approval at their next meeting."

The States is asked to approve of "The Misuse of Drugs (Bailiwick of Guernsey) (Amendment) Law, 2005".

(Note: A copy of the Projet de Loi may be seen in the States Office, Island Hall and the Alderney Library.)

## **Item III Sale of States Land**

The following letter has been received from Mr B. Pengilly, Chairman of the General Services Committee: -

"By virtue of section 1 of The Government of Alderney Law, 2004, all executive functions which may be exercised in Alderney are exercisable by the States of Alderney or, in the case of a function conferred by or under any resolution, by the committee of the States or other body on which, or by the person on whom, the function is conferred.

The General Services Committee's mandate includes responsibility for the leasing of all States properties, other than States owned Forts, but neither it nor the Policy and Finance Committee has any mandate to sell States land. In fact, there is a duty not to reduce the area of States land without the authority of the States. Accordingly, each and every sale of States land must be approved by the States unless and until a resolution of the States provides otherwise.

The General Services Committee is requesting a mandate to offer certain States land for sale at prices to be approved by the Policy and Finance Committee. (The Policy and Finance Committee already has the

mandate to advise on the financial aspects of leases granted by the General Services Committee.) I attach a Schedule of the land which it is proposed to offer for sale. None of it is required for any States purpose. I shall be obliged if you will place this matter before the States at its next meeting with an appropriate proposition.

Mr B Pengilley  
Chairman"

The States is asked to resolve that the States properties appearing in the attached Schedule may be disposed of by the General Services Committee by way of freehold sale, at prices to be approved by the Policy and Finance Committee, notwithstanding that the effect of such sales may be to reduce the overall area of land in the ownership of the States.

## **Item IV The Public Holiday ("Homecoming Day") (Alderney) Ordinance, 2005**

The following letter has been received from Colonel Walter, Chairman of the Policy and Finance Committee: -

"The 15th December, 2005 marks the 60th Anniversary of the homecoming - the arrival by ship of the first islanders to return following the evacuation. The event is marked in a variety of ways, including a special stamp issue and a commemorative stone bearing an inscription. Many are of the view that the anniversary of this important event should be formally recognised on an annual basis by the declaration of a public holiday. The Public Holiday ("Homecoming Day") (Alderney) Ordinance, 2005 has been drafted by the Law Officers to give effect to this.

I shall be obliged if you will place this matter before the States at its next meeting with an appropriate proposition.

P. F. Walter  
Chairman"

The States is asked to approve The Public Holiday ("Homecoming Day") (Alderney) Ordinance, 2005.

## **Item V Questions and Reports**

Issued: Friday, 9th September 2005

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