

## BILLET D'ETAT FOR 18-07-2007

**Date: 17th July, 2007**

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5:30pm on Wednesday 18th July 2007. This will be preceded by the People's Meeting, which will be held on Wednesday 11th July 2007 at 7:00 p.m. in the Island Hall.

Sir Norman Browse  
President

### Item I "C" Permits

The following letter has been received from Miss Benfield, Chairman of the Building and Development Control Committee:-

" Following the States decision in June to accept the changes to the "C" permit system, the Building and Development Control Committee now request the States to allow the Committee to issue 5 "C" permits for the year 2007, and each year thereafter unless the States resolves otherwise.

Miss B Benfield  
Chairman"

The States is asked to resolve to approve that the Building and Development Control Committee issue 5 "C" Permits for the year 2007, and each year thereafter unless the States resolves otherwise.

### Item II Transfer of Funds (Alderney) Ordinance, 2007

The following letter has been received from Mr Willmott, Chairman of the Policy and Finance Committee:

"I attach a copy of the above.

The key international standard on wire transfers, Special Recommendation VII (SRVII) of the Financial Action Task Force, was developed to ensure that basic information on the originators of wire transfers would be immediately available to beneficiary financial institutions and appropriate authorities to facilitate the identification and reporting of suspicious transactions where, for example, there is a risk of money laundering or terrorist financing. In order for EU Member States to comply with SRVII the European Commission has issued a Regulation requiring full originator information. In order to retain the BACs payment system for transfers between the Crown Dependencies and the United Kingdom it has become necessary for the United Kingdom to seek a derogation under the EU Regulation. The EU will only approve this if the Crown Dependencies have domestic legislation equivalent to the EU Regulation. The Law Officers have drafted the Transfer of Funds (Alderney) Ordinance, 2007 in order to fulfil this requirement. The Ordinance may be enacted under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994. Senior representatives of the clearing bank branches in Alderney have

been consulted as part of the process of preparing the Ordinance.

If approved, the Ordinance will come into effect on 15th December 2007 so as to coincide with the date that the EU Regulation comes into effect.

I will be grateful if the Transfer of Funds (Alderney) Ordinance, 2007 is placed before the States at its next Meeting together with an appropriate proposition.

Mr R G Willmott

Chairman"

The States is asked to approve of "The Transfer of Funds (Alderney) Ordinance, 2007".

(Note: A Copy of the Ordinance may be viewed at the States Office, Island Hall and the Library.)

### **Item III The Court of Alderney (Appointment of Juge D'Appel Ordinance, 2007**

"Section 9 of the Government of Alderney Law, 2004 deals with the issue of conduct of proceedings and disability of Jurats. Section 9(3) of the Law allows the Chairman to apply to the Bailiff to appoint a person to exercise the powers of the Court in certain circumstances. The circumstances referred to in the Law at present are quite narrow and refer to rules of natural justice, personal interest of a Jurat or a licence application where the Jurat holds the same licence for carrying on an occupation as the applicant. Section 9 however, does not specifically cover the issue of complexity of proceedings or the length of time that the proceedings may take. The attached draft Ordinance puts beyond doubt the ability for the Bailiff to appoint someone to preside over the Court in these circumstances.

The draft Ordinance is in the form approved by H M Procureur and I shall be obliged if you will place it before the States with an appropriate proposition.

Mr R G Willmott

Chairman"

The States is asked to approve of "The Court of Alderney (Appointment of Juge D'Appel Ordinance, 2007".

### **Item IV The Speed Trials (Alderney) Ordinance, 2007**

The following letter has been received from Mr Walden, Chairman of the General Services Committee:

"I am pleased to be able to report that the Guernsey Kart and Motor Club applied to the Committee for permission to organise a two-day Sprint and Hill Climb event on the 14th and 15th September this year at the Hammond Memorial/Lighthouse course and on Tourgis Hill. The Committee have granted the permission required and the necessary Ordinance has been prepared.

The Ordinance will allow competing vehicles to exceed the speed limit etc. and to permit the closure along the course (a) on the road extending from Whitegates to Mannez Lighthouse and (b) Tourgis Hill along the extent of the Hill Climb course, from the road junction of the Petit Val with Route de Picaterre to the junction of Tourgis Hill Road with the Grand Val.

As in past years, the Guernsey Kart and Motor Club has undertaken to put in place all necessary safety precautions and to liaise with the Police, Ambulance and Fire Service for these events.

I shall be obliged if you will place the draft Ordinance before the States with an appropriate proposition.

Mr W Walden

Chairman"

The States is asked to resolve to approve of "The Speed Trials (Alderney) Ordinance, 2007"

## **Item V The Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007**

The following letter has been received from Sir Norman Browse, President of the States of Alderney:

"Please find enclosed a letter from the Bailiff, dated 27th June 2007 seeking approval of the above law. I would therefore be obliged if you would debate this matter at your meeting on 18th July 2007 and give your approval as set out in that letter.

Sir Norman Browse  
President"

The States is asked to resolve to approve of "The Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007".

(Note: A Copy of the Projet de Loi may be viewed at the States Office, Island Hall and the Library.)

## **Item VI The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2007**

The following letter has been received from Sir Norman Browse, President of the States of Alderney:

"Please find enclosed a letter from the Bailiff, dated 27th June 2007 seeking approval of the above Law. I would therefore be obliged if you would debate this matter at your meeting on 18th July 2007 and give your approval as set out in that letter.

Sir Norman Browse  
President"

The States is asked to resolve to approve of "The Motor Taxation and Licensing (Guernsey) (Amendment) Law, 2007".

(Note: A Copy of the Projet de Loi may be viewed at the States Office, Island Hall and the Library.)

## **Item VII Questions and Reports**

Issued Friday 6th July 2007

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