



BILLET D'ETAT FOR 22-09-2010

Date: 22nd September, 2010

STATES OF ALDERNEY
BILLET D'ETAT FOR
WEDNESDAY 22ND SEPTEMBER 2010 AT 17:30

Members of the States:

I have the honour to inform you that a Meeting of the States will be held at 5:30pm on Wednesday 22nd September 2010. This will be preceded by the People's Meeting, which will be held on Wednesday 15th September 2010 at 7:00 p.m. in the Island Hall.

Mr C. Williams
Vice President

Item I Chief Pleas

Persons whose names are included on the Register of Voters and who have given due notice will address the States on matters of public interest.

Item II The Companies (Alderney) Law 1994 - Fees Ordinance 2010

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

The prescribed fees of the above law have been reviewed on an annual basis since they were comprehensively reviewed in 2007 following an interval of several years. Although any revised fees are not effective until the following calendar year, fees are now reviewed earlier in the year in order to allow maximum notice for Company Administrators.

Sections 159 and 164 of The Companies (Alderney) Law 1994 deal with fees and any changes thereto. Section 159 is the section dealing with general fees. Section 164 gives the States the power to make Ordinances to amend certain fees elsewhere in the law and not covered by Section 159. The tables below highlight the current fees, together with the proposed fees which have been increased by RPIX at 2.4% (rounded), as recommended by the Company Registrar and subsequently agreed by the Policy and Finance Committee.

Section 107(7) Late Filing Fees

Subsection Current Fee Proposed Fee

- (a) First Month £55 £57
- (b) Second Month £110 £113
- (c) Every Month thereafter £165 £169

Section 108(4)(b) Fee for Restoration to Register

Current Fee Proposed Fee

£165 £169

Section 159 (1) - Fees

Subsection Current Fee Proposed Fee

- (a) Application to Register £110 £113
- (b) Issue of certificate of registration £35 £36
- (c) Declaration of compliance by Public Company £35 £36
- (d) Notice of new registered office £23 £24
- (e) Order to remove company from Registered Office £23 £24
- (f) Full Annual Return £55 £57
- (g) Abbreviated Annual Return £55 £57
- (h) Special Resolution to change company name £35 £36
- (i) Notice of Strike Off £35 £36
- (j) Failure to comply with direction to change registered office £23 £24
- (k) Failure to comply with direction to change company name £23 £24
- (l) Service of written demand to pay a debt £55 £57
- (m) Issue Certificate of Good Standing £40 £41

The Companies (Alderney) Law (Fees) Ordinance 1995

Section 2 of this Ordinance levies certain fees not covered in the above laws.

Subsection Current Fee Proposed Fee

- (a) Return of Allotment £30 £31
- (b) Resolution altering share capital £30 £31
- (c) Redemption of redeemable preference shares £30 £31
- (d) Lodging Inspectors Report £30 £31
- (e) Directors Certificate of shares with no par value £30 £31
- (f) Filing of Court Order £30 £31
- (g) Filing of Special Resolution £30 £31
- (h) Company Search £10 £11
- (i) Photocopying £1.10 £1.15
- (j) Company Search by facsimile in addition to (h) £12 £13
- (k) Change of Director or Company Secretary £23 £24

I therefore enclose a draft Ordinance entitled The Companies (Alderney) Law (Fees) Ordinance 2010 and should be grateful if you would place this before the States with appropriate proposition.

R.G. Willmott
Chairman

The States is asked to approve The Companies (Alderney) Law (Fees) Ordinance 2010.

Item III Ordinary Elections

The following dates for the Ordinary Elections, 2010 are proposed:-

Nominations will be received during the seven days ending at 4.00 pm on Tuesday, 16th November 2010

Polling day to be Saturday, 27th November 2010

That the polling room be the Member's Room, Island Hall.

Sir Norman Browse
President

The States is asked to approve of the above dates for the Ordinary Elections, 2010.

Item IV Plebiscite for the Alderney Representatives in the States of Deliberation, Guernsey

The following letter has been received from the President:-

On the 18th October 2006, the States resolved, as a pilot experiment, to hold a plebiscite for the appointment of the Alderney Representatives to sit in the States of Deliberations, Guernsey. This pilot was successful, the public were consulted in May 2007 and there was support for this procedure to continue.

The States of Guernsey (Representatives of Alderney) Law 1978 states that the Alderney Representatives must be appointed every year at the annual meeting. The States of Alderney resolved at the October 2006 meeting that the result of the plebiscite would be confirmed for a period of two years. That period will expire at the end of 2010.

Therefore, at the annual meeting in January 2011, the States will be required to appoint two representatives and two alternative representatives to sit in the States of Deliberation. The plebiscite allows for the wishes of the electorate to determine who represents them in the States of Deliberation. It is therefore proposed that a plebiscite takes place to ascertain these wishes.

In order to hold the plebiscite and give effect to its outcome, the States proposes:

1. To conduct a plebiscite of the electorate on Saturday 11th December 2010 to determine whom the electorate wish to represent them in Guernsey.

2. The candidates will be any States Member who states that they wish to serve as a Representative. The list of candidates will be published by 1st December 2010. (States membership for 2011 and 2012 will have been decided by the States election on 27th November 2010).
3. The voting process will be similar to that of a States Election and will take place in the Members Room, Island Hall from 9:30 a.m. to 6:30 p.m.
4. Each voter will be asked to place a cross against the names of the two candidates they wish to support. Only two choices will be allowed, any ballot paper with more than two Xs will be disqualified.
5. The Jurats will be asked to count the votes.
6. The States commits itself to elect as its Representatives, at the Annual Meeting in January, the two Members with the most votes. The two Members that poll the third and fourth highest number of votes will be elected as the Alternate Representatives. As the Law requires that our representatives are elected annually, those successful in this ballot will be re-elected in 2012.
7. In the event of a tie between two or three Members, the States will choose the Member with the longest previous service as a States Member. Should neither have had any previous States experience or both have equal experience; the States will make the choice. In the unlikely event of only three Members receiving any support, the States will choose the fourth.
8. Information will be available to the electorate on this process prior to the 11th December 2010
Sir Norman Browse
President

The States is asked to approve the procedure as described above, and

**That the list of those States Members who wish
to be Candidates be published on Wednesday 1st December 2010**

That the polling day be on Saturday 11th December 2010

That the polling room be the Members Room, Island Hall.

Item V The Mental Health (Bailiwick of Guernsey) Law, 2010

The following letter has been received from the President:-

Please find enclosed a letter from the Bailiff, dated 3rd September 2010 seeking approval of the above law.

I would therefore be obliged if you would debate this matter at your meeting on 22nd September 2010 and give your approval as set out in the letter.

Sir Norman Browse
President

The States is asked to approve of The Mental Health (Bailiwick of Guernsey) Law, 2010.

(Note: A copy of the Projet de Loi can be seen at the Library and the General Office Island Hall.)

Item VI Questions and Reports

Issued 10th September 2010

Uncontrolled Copy - 2012-04-03 09:36:42