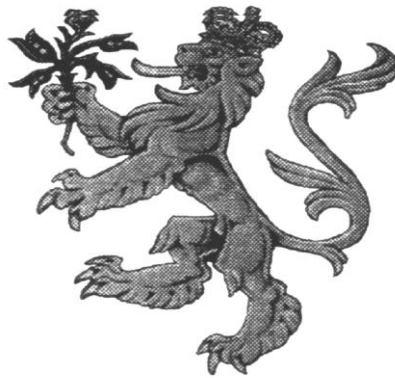


STATES OF ALDERNEY



BILLET D'ETAT

WEDNESDAY 14TH JANUARY 2015

Price: £2.00

STATES OF ALDERNEY
BILLET D'ETAT
FOR WEDNESDAY 14TH JANUARY 2015

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5:30 pm on Wednesday 14th January 2015. This will be preceded by the People's Meeting, which will be held on Wednesday 7th January 2015 at 7:00 pm in the Island Hall.

W Stuart Trought
President

Item I **Opening of the States.**

Item II **Election Procedure**

The States is asked to decide whether the following elections should be by verbal vote, otherwise Rule 20 of the Rules of Procedure of the States Alderney, shall come into operation, ie., voting shall, unless the States otherwise resolves, be carried out by written ballot.

Item III **Appointment of Vice President**

The States is asked to elect a Vice President for 2015.

Item IV **Appointment of Auditors**

The States is asked to appoint KPMG Channel Islands Limited to be the States Auditors for 2015.

Item V **Policy and Finance Committee Mandate**

The States is asked to approve the mandate of the Policy and Finance Committee, as follows:-

“To formulate and make recommendations to the States on all policy matters.

To be accountable for the financial management of the States.

To discharge its business within the policies, guidelines and resolutions of the States.

To negotiate and discharge on all matters relating to the provision of transferred services and finance with the States of Guernsey.

To conduct all external affairs.

To ensure that the General Services Committee and the Building and Development Committee operate with good corporate and financial governance in relation to their budget and legislative requirements.

To perform the following functions:-

Finance:

To present to the States the annual budget and audited accounts and, where necessary, report to the States thereon.

To monitor the income and expenditure of the States, its Committees and Trust Funds, and where appropriate, to add comment and recommendation to all applications to the States for money, votes and/or submissions to the States where public income and expenditure is involved.

To discharge business related to all borrowings as authorised by the States, loans and the administration of all monies accruing to the States for specific purposes under the terms of various Trusts and Funds.

To provide recommendations to the States, whether by Ordinance or otherwise, the fees, dues and charges levied by the States for the provision of any service required to be provided under legislation and to approve the rents payable for States' land and properties.

To provide recommendations to the States of Alderney on the level of Occupier's Rates.

To provide recommendations on the rents, premiums (if any) and duration of leases to be granted by the General Services Committee for all other States properties.

To submit leases to the States for approval in accordance with the Budget Rules and Procedures.

To discharge business:-

- a. States borrowings authorised by the States for specific purposes*
- b. All States insurances*
- c. Postage stamp and coin issues and design approvals*
- d. Dealing with grants not exceeding £5000*
- e. Dealing with Hawkers Licences.*

The Economy:

To discharge and report to the States on all matters relating to the economy of the Island, including immigration, population, social services (financial aspects only), the development of an economic plan, employment, industry and e-commerce.

To discharge business with external authorities in fiscal and commercial matters.

To discharge business relating to public relations and the promotion of the Tourist Industry.

To monitor the economic policy of the States and to report on the performance of the economy and make recommendations for such amendments as deemed necessary.

To discharge any business and matters with the Commerce and Employment Department on economic planning.

Constitution and Legal Matters:

To discharge all matters affecting the Constitution and all legislation (other than legislation falling specifically within the responsibility of the General Services and the Building and Development Control Committee).

To discharge all matters relating to International Conventions, Treaties, Agreements, EU Directives and extended legislation from the United Kingdom.

To discharge business as necessary with the Court of Alderney.

To approve or recommend the leasing and use of all States-owned Forts.

To discharge matters affecting:-

Elections;

Census;

Import and Export Control;

Telecommunications;

Postal Services, Philately and Currency;

Gambling;

Emergency Fuel Control (The Energy (Bailiwick of Guernsey) Law, 1978);

Dangerous Weapons;

Civil Aviation; and

Youth Training and Adult Education. Youth Services and activities.

To discharge business relating to welfare.

To discharge business not falling within the mandate of the General Services Committee and the Building and Development Control Committee.

Staff and Offices:

To operate as the State's Employment Board with responsibility for all matters relating to the employment of Established Staff and Public Service Employees (PSE's); and the management of office accommodation; to be the Civil Service Board referred to in the Terms and Conditions of Service for Civil Servants and the Terms and Conditions of Employment for Public Service Employees as agreed between the Board and Unite, the Union.

In particular to approve the appointment of staff and the preparation and review of the Terms and Conditions of Service of all salaried staff (subject to the relevant provisions of the Government of Alderney Law) and to liaise with the Association of Guernsey Civil Servants.

To monitor and control establishment numbers.

To be responsible for staff pensions.

To conduct appropriate business and negotiations, liaise with Trades Unions on matters relating to the Terms and Conditions of Employment for Public Service Employees.”

Item VI **General Services Committee Mandate**

The States is asked to approve the mandate of the General Services Committee, as follows:-

“To be accountable to the States for the provision and implementation of all Government services provided and/or required by legislation, resolution or policy of the States within agreed budgets.

To liaise with the Policy and Finance Committee in relation to budgetary and legislative requirements.

To operate within the policies, guidelines and resolutions of the States.

In particular, to perform the following functions:-

To be accountable for the administration of the harbour and its functions and to make recommendations to the Policy and Finance Committee on all fees, dues and charges required to be levied by legislation.

To deal with shipping and all matters relating to the sea.

To be responsible for the continuing investigations into a marina in Alderney.

To deal with all matters relating to the railway.

To administer and maintain all States’ buildings including offices; to be accountable for all public works; to place contracts for public works; to be responsible for refuse collection and its disposal.

To be responsible for the Fire Brigade; for emergency services; for sewage disposal; and for traffic control.

To be accountable for all States’ properties which are not the responsibility of the Policy and Finance Committee.

To be responsible for recreation and sports activities.

To be responsible for the Saye Beach Camp site.

To be responsible for all matters relating to the allocation of States housing.

To be accountable as the Water Board for the provision of water supplies on the Island in accordance with the legislation applicable thereto.

To be responsible for the leasing of all States Properties, other than Forts, in the ownership of the States; to deal with all matters relating to agriculture, livestock, other animals, birds and vermin; to administer the Island of Burhou; to be responsible for forestation and fencing and management of all States land

including the consolidation of parcels and not to reduce the area of such land without the authority of the States; and be responsible for the slaughterhouse.

To be responsible for all matters relating to sea fisheries.

To be responsible for environmental monitoring and for the co-ordination of public services in the event of a civil emergency.

To be responsible for the establishment of a working party to be known as the Civil Emergency Working Party which shall include amongst its members the following people:-

The President of the States, the States Analyst, the Chief Fire Officer, the Manager of the Water Board, the States Engineer, the General Manager of Alderney Electricity Limited, the resident Sergeant of the Police in Alderney, the Harbour Officer, a Medical Practitioner; a representative of St. John Ambulance (unless otherwise represented); a Communications adviser(s); the person appointed as Co-ordinator of the emergency services, and if in existence the Officer Commanding the Junior Militia.

The Working Party shall appoint a Chairman from amongst its members.”

Item VII **Building and Development Control Committee Mandate**

The States is asked to approve the mandate of the Building and Development Control Committee as follows:-

“To be the Authority for approving plans in both the public and private sector; to be responsible for the Le Banquage Housing Scheme; to administer The Building and Development Control (Alderney) Law, 2002, as amended; to be the Committee to make recommendations to the States on the maximum number of dwellings to be permitted in any given period in accordance with Section 15 of The Building & Development Control (Alderney) Law, 2002; to administer Building Regulations made under the provisions of The Building & Development Control (Alderney) Law, 2002, and any other law or laws by which they may be replaced.

To be responsible for the preparation of a policy and strategy for environmental conservation and ecology on the Island.”

Item VIII **Appointment of Committee Chairmen**

The States is asked to elect the Chairmen of the following Committees:

- 1. Policy and Finance Committee**
- 2. General Services Committee**
- 3. Building and Development Control Committee**

Item IX **Appointment of Members of the Policy and Finance Committee**

The States is asked to elect the Members of the Policy and Finance Committee.

Item X **Appointment of Committee Members of other Committees**

The States is asked to appoint the members of the following committees:-

1. Four members to the General Services Committee
2. Four members to the Building and Development Control Committee

Item XI **Other Appointments:- Commonwealth Parliamentary Association**

The States is asked to elect three members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman).

Item XII **The States of Alderney Bank Accounts**

The States is asked to make the following arrangements relating to the operation of the States of Alderney Bank Accounts:-

1. To empower any one member of the Policy and Finance Committee with the States Treasurer or her deputy, or the Chief Executive and the States Treasurer or her deputy, to operate the States of Alderney Bank Accounts.
2. To empower any one member of the Policy and Finance Committee with the States Treasurer or her deputy, or the Chief Executive and the States Treasurer or her deputy, to operate the States of Alderney Water Board Bank Accounts.

Item XIII **Election of Alderney Representatives to sit in the Guernsey States of Deliberation**

Following the procedure as laid out in the Resolution of The States of Alderney dated 18th October 2006 and the Plebiscite election of 6th December 2014, the States is asked:-

- (a) To elect two members to sit in the Guernsey States of Deliberation for 2015, and
- (b) To elect two other members to sit in the Guernsey States of Deliberation as Alternative Representatives for 2015.

Item XIV **The Alderney eGambling (Amendment) (No. 2) Regulations, 2014**

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

“The Alderney eGambling (Amendment) (No.2) Regulations were made by the Alderney Gambling Control Commission on 17th December, 2014.

These Amendment Regulations amend the Alderney eGambling Regulations, 2009 as follows:-

- 1. They introduce a new form at Schedule 18A of the Regulations for Category 1 eGambling licensees to report activity conducted other than under their Alderney eGambling licence. This has become necessary as some licensees operate in other jurisdictions and the Commission requires this information in order to undertake effect prudential supervision;*
- 2. They amend the application form completed by those applying for key individual certificates by requiring the applicant to disclose whether s/he has been the subject of action by any other regulator; and*
- 3. They correct a small number of minor typographical and formatting errors.*

The Alderney eGambling (Amendment)(No.2) Regulations have been drafted by the Law Officers of the Crown in Guernsey and were submitted to the States of Guernsey Home Department in accordance with the terms of the Memorandum of Understanding dated November, 8th, 2013.

I would be grateful if you would place the Alderney eGambling (Amendment) (No.2) Regulations, 2014 before the next meeting of the States of Alderney pursuant to Section 27(1)(c) of the Alderney eGambling Ordinance, 2009 with an appropriate proposition.

*F Simonet
Chairman”*

The States is asked to resolve that ‘The Alderney eGambling (Amendment) (No.2) Regulations, 2014’ not be annulled.

Item XV **Alderney Commission for Renewable Energy: Appointment of Commissioner**

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

“The appointment of Professor John V Sharp as a Commissioner for the Alderney Commission for Renewable Energy was confirmed at the meeting of the States in June 2010; the Policy and Finance Committee has received a letter from the Chairman of the Alderney Commission for Renewable Energy, dated 27th November 2014 advising that Professor Sharp’s current contract expires on the 24th December 2014. Professor Sharp has indicated that he would be prepared to undertake another two year contract as a Commissioner and the Chairman has stated that the renewal of his contract as Commissioner would be supported by the Commission, as he is an invaluable member of the team and has made significant contributions to the overall development of the Commission and its work.

The approval of the States to the appointment of Professor Sharp as a Member of the Commission is sought in accordance with the provisions of section 6 of

the Renewable Energy (Alderney) Law, 2007. I will be obliged if this is placed before the States at its next meeting together with an appropriate proposition.

F Simonet
Chairman”

The States is asked to approve, on the recommendation of the Policy and Finance Committee and in accordance with section 6 of the Renewable Energy (Alderney) Law, 2007, the appointment for a further period of two years of Professor John V Sharp a Member of the Alderney Commission for Renewable Energy.

Item XVI Questions and Reports

Issued: 2 January 2015