

GUERNSEY STATUTORY INSTRUMENT

2016 No. 44

**The Financial Services Ombudsman (Case Fee and Levies)
(Bailiwick of Guernsey) (Amendment) Order, 2016**

<i>Made</i>	<i>1st September, 2016</i>
<i>Coming into operation</i>	<i>1st September, 2016</i>
<i>Laid before the States</i>	<i>, 2016</i>

THE COMMITTEE FOR ECONOMIC DEVELOPMENT, in exercise of the powers conferred on it by section 27 of, and paragraph 4 of Schedule 2 to, the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014^a, hereby orders:-

Amendment of the Order.

1. The Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) Order, 2015 ("**the Order**") is amended as follows -

- (a) in article 5(7), substitute "2018" for "2016", and
- (b) immediately after article 7(2), insert the following paragraph -

"(2A) Without prejudice to the generality of paragraph (3)(b) and article 3(1)(c), the levy scheme as prescribed under article 3 may make provision for the service of a levy notice on a person, or at an address, to be treated as service of a levy notice on a

^a Order in Council No. I of 2015; as amended by Ordinance No. XVII of 2015 and No. IX of 2016.

person from whom OFSO is to demand an amount of levy -

- (a) if the person from whom the levy is to be demanded has nominated that other person or address,
- (b) if that other person or address is otherwise authorised, in a manner that is specified in the levy scheme and appears appropriate to OFSO, for the acceptance of service of notices, or
- (c) in such other circumstances specified in the levy scheme which appear reasonable to OFSO."

Interpretation.

2. (1) In this Order, unless the context requires otherwise -

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect,

and other expressions have the same meanings as in the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014.

(2) The Interpretation (Guernsey) Law, 1948^b applies to the interpretation of this Order throughout the Bailiwick.

(3) Any reference in this Order to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification),

^b Ordres en Conseil Vol. XIII, p. 355.

extended or applied.

Citation and commencement.

3. This Order may be cited as the Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) (Amendment) Order, 2016 and shall come into force on the 1st September, 2016.

Dated this 1st day of September, 2016



P. T. R. FERBRACHE

President of the States Committee for Economic Development
For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) Order, 2015 ("the Order") in relation to the levy scheme prescribed by the Office of the Financial Services Ombudsman ("OFSO").

The amendments to the Order:

- postpone the ending of the equal splitting of the costs of OFSO between the Bailiwicks of Guernsey and Jersey from the end of 2016 to the end of 2018, and
- in such appropriate circumstances as may be prescribed in the levy scheme by OFSO, permit the service of a levy notice under Article 7 of the Order on a representative of a person from whom a levy will be demanded.

This Order comes into force on the 1st day of September, 2016.

