

GUERNSEY STATUTORY INSTRUMENT

2023 No.143

**Foundations (Registrar) (Civil Penalties) (Amendment)
(No. 3) Regulations, 2023**

<i>Made</i>	<i>19th December, 2023</i>
<i>Coming into operation</i>	<i>20th December, 2023</i>
<i>Laid before the States</i>	<i>, 2023</i>

THE REGISTRAR OF FOUNDATIONS, in exercise of the powers conferred on the Registrar by section 51 of, and paragraph 21 of Schedule 1 to, the Foundations (Guernsey) Law, 2012^a, and all other powers enabling her in that behalf, hereby makes the following Regulations:-

Amendment of Civil Penalty Regulations.

1. (1) The Schedule to the Foundations (Registrar) (Civil Penalties) Regulations, 2023^b is further amended as follows.

(2) In the Schedule, for the last paragraph of the Note before the table, substitute –

^a Order in Council No I of 2013; this enactment has been amended.

^b G.S.I. No. 67 of 2023; this enactment has been amended.

"Reference to the period of "default" is to the period of the breach. For example, in the first entry relating to section 22A, the civil penalty (in respect of a non-administered foundation) is £90 if there has been a failure lasting up to one week, £175 if there has been a failure lasting between one week and one month and £350 if there has been a failure lasting one month or more.

Where the Registrar does not have information on the period of the breach, the Registrar will issue the penalty for a breach lasting one month or more but may reduce the penalty if evidence is provided by the foundation that the period of the breach was shorter than one month. "

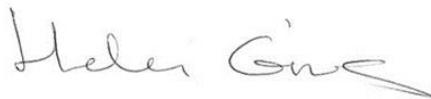
Citation.

2. These Regulations may be cited as the Foundations (Registrar) (Civil Penalties) (Amendment) (No. 3) Regulations, 2023.

Commencement.

3. These Regulations shall come into force on 20th December, 2023.

Dated this 19th day of December, 2023

A handwritten signature in black ink, appearing to read 'Helen Gains', with a stylized flourish at the end.

HELEN GAINS

Registrar of Foundations

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made by the Registrar of Foundations, amend the Foundations (Registrar) (Civil Penalties) Regulations, 2023 to change how a period of default is calculated for the purposes of imposing a civil penalty. They come into force on 20th December, 2023.