

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

THE ALDERNEY (APPLICATION OF LEGISLATION) (EDUCATION) ORDINANCE, 2026

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Alderney (Application of Legislation) (Education) Ordinance, 2026" and to direct that the same shall have effect as an Ordinance of the States.

EXPLANATORY MEMORANDUM

This Ordinance is made under the Alderney (Application of Legislation) Law, 1948 ("the 1948 Law"). Its purpose is to give effect in Alderney (with appropriate modifications) to (a) the changes made by the Education (Guernsey) (Amendment) Law, 2025 ("the 2025 Amendment Law") to the Education (Guernsey) Law, 1970 ("the 1970 Law"), and (b) the Education (Governance Boards) Ordinance, 2025 ("the Governance Boards Ordinance"). The 1970 Law has effect in Alderney by way of the Alderney (Application of Legislation) (Education) Ordinance, 1970, which has been amended on multiple occasions since enactment to give appropriate effect to amendments made from time to time to the 1970 Law.

The Ordinance (a) further amends (at section 1 and Schedule 1) the Alderney (Application of Legislation) (Education) Ordinance, 1970, to give appropriate effect to the changes made by the 2025 Amendment Law to the 1970 Law, (b) gives effect (at section 2 and Schedule 2) to the Governance Boards Ordinance, with appropriate modifications, and (c) makes transitional provision (at section 3(2)) in relation to persons currently on the "shadow" governance board of St Anne's School.

The Alderney (Application of Legislation) (Education) Ordinance, 2026

THE STATES, in pursuance of their Resolutions of the 7th February 2025^a and in exercise of the powers conferred on them by section 1 of the Alderney (Application of Legislation) Law, 1948^b, hereby order:-

Amendment of the Alderney (Application of Legislation) (Education) Ordinance, 1970.

1. The Schedule to the Alderney (Application of Legislation) (Education) Ordinance, 1970^c is amended in accordance with Schedule 1.

Governance Boards Ordinance to have effect in Alderney.

2. The Education (Governance Boards) Ordinance, 2025^d shall have effect in the Island of Alderney as it has effect in the Island of Guernsey, subject to the modifications set out in Schedule 2.

Citation and commencement.

3. (1) This Ordinance may be cited as the Alderney (Application of Legislation) (Education) Ordinance, 2026, and shall come into force on 6th July, 2026.

^a Article VII of Billet d'État No. III of 2025.

^b Ordres en Conseil Vol. XIII, p. 448; this enactment has been amended.

^c Recueil d'Ordonnances Tome XVI, p. 495; this enactment has been amended.

^d Ordinance No. XXV of 2025.

(2) Any person who before 6th July, 2026 has been appointed by the States of Guernsey Committee for Education, Sport & Culture ("**the Committee**"), or elected, to the shadow governance board of a relevant educational establishment in the Island of Alderney shall be deemed to have been duly appointed or elected (as the case may be) under the Education (Governance Boards) Ordinance, 2025 (as that Ordinance has effect in the Island of Alderney by virtue of section 2) to the governance board of that establishment on 6th July, 2026.

(3) In subsection (2) –

(a) "**shadow governance board**" means a body of persons recognised as such by the Committee, and

(b) "**relevant educational establishment**" has the meaning given in the Education (Guernsey) Law, 1970^e, as that Law has effect in the Island of Alderney (including as that Law has effect in the Island of Alderney by virtue of section 1).

^e Ordres en Conseil Vol. XII, p. 318; this enactment has been amended.

SCHEDULE 1

Section 1.

AMENDMENT OF THE SCHEDULE TO THE ALDERNEY (APPLICATION OF
LEGISLATION) (EDUCATION) ORDINANCE, 1970

1. Column 2 (exceptions, adaptations and modifications) of the table in the Schedule to the Alderney (Application of Legislation) (Education) Ordinance, 1970 is amended as follows.

2. In the entry relating to subsection (1) of section one, after paragraph (a), insert–

"(ab) the definitions of the expressions "the Bishop" and "the Diocese" are hereby deleted,"

3. For the words "Section six is hereby deleted and the following section is hereby substituted therefor -" and the inserted section thereafter, substitute –

"In subsection (2)(g) of section six, the words ", and, in respect of Notre Dame du Rosaire Primary School and St Mary and St Michael Primary School, the Bishop and members of the Bishop's office" are hereby deleted."

4. At the end, insert –

"For the list at Schedule 2, substitute–

"(a) St Anne's School".

SCHEDULE 2

Section 2.

MODIFICATIONS SUBJECT TO WHICH THE EDUCATION (GOVERNANCE BOARDS) ORDINANCE, 2025 SHALL HAVE EFFECT IN ALDERNEY

1. In section 1(2), omit ", other than the governance board of the Guernsey Institute,".
2. For section 1(2)(b), substitute –

 "(b) a minimum of two and a maximum of four governors appointed by the Committee following consultation with the governance board,".
3. After subsection 1(2)(b), insert –

 "(ba) a governor appointed by the Committee (on the nomination thereof by the Policy & Finance Committee being accepted by the Committee),".
4. Omit section 1(3).
5. In section 1(10), after "People's Deputies," insert "members of the States of Alderney".
6. In section 1(11), omit "(after consultation with the Bishop in so far as concerns

the governance boards of Notre Dame du Rosaire primary school and St Mary and St Michael primary school)".

7. For section 2(2), substitute –

"(2) Before appointing the Chair of a governance board, the Committee shall invite the Policy & Finance Committee to nominate a member to be a temporary member of the Committee for the purpose only of making the decision to appoint the Chair, and on such nomination being made and accepted by the Committee the nominated person shall be a temporary member of the Committee.

(2A) A person nominated under subsection (2) as a temporary member of the Committee shall, for the period of his or her membership, have the same rights and responsibilities as other members of the Committee, but only in respect of making the decision to appoint the Chair; and once the decision to appoint the Chair has been made, the membership of the Committee of the person nominated under subsection (2) shall cease."

8. At the start of section 2(3) insert "Subject to subsection (4)", and after section 2(3) insert –

"(4) The Committee shall notify the Policy & Finance Committee before making regulations under subsection (3)."

9. In section 4(4), omit "(and in addition, in the case of the governance boards of St Mary and St Michael primary school and Notre Dame primary school, the Bishop)".

10. Omit section 4(8).

11. In section 4(9), omit ", and the Bishop and members of the Bishop's office attending pursuant to subsection (8)".
12. In section 6(3), after "Policy & Resources Committee" insert, "of the States of Guernsey".
13. In section 7(1), at the start insert "Subject to subsection (2)," at the end of paragraph (a) omit "or", and omit paragraph (b).
14. For section 7(2), substitute –

"(2) Before removing a governor appointed under section 1(2)(ba), or a Chair, the Committee shall notify the Policy & Finance Committee."
15. In section 7(3), omit "or the Bishop (as the case may be)".
16. Omit section 7(6).
17. In section 7(7), omit "and" at the end of paragraph (a) and omit paragraph (b).