

Senator L.J. Farnham				
Senator A.K.F. Green				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

**The Bailiff:**

Members should have had distributed to them, and I just give notice of the Draft E.U. Legislation (Civil Aviation Insurance) (Jersey) Regulations P.61, the Draft Air Navigation (Investigation of Air Accidents and Incidents on Jersey Registered Aircraft) (Jersey) Regulations P.62, and the Draft Aircraft Registration (Births, Deaths and Missing Persons) (Jersey) Regulations P.63, have all been lodged, the first 2 by the Minister for External Relations and the last one by the Minister for Economic Development.

**12. Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-(P.40/2015)**

**The Bailiff:**

We now come to the Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-, P.40, lodged by the Minister for Social Security, and I ask the Greffier to read the citation of the draft.

**The Deputy Greffier of the States:**

Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-. The States, in pursuance of Article 1(2) (5) and (47) of the Discrimination (Jersey) Law 2013, have made the following Regulations.

**The Bailiff:**

Minister, do you wish to propose the principles?

**12.1 Deputy S.J. Pinel of St. Clement (The Minister for Social Security):**

A year ago, this Assembly took an important step forward and passed Jersey’s first Discrimination Law, which outlawed race discrimination. It was always clear that this was just the first step and that we would need to extend the right to other groups who may be disadvantaged. Today, we can take this important second step by extending the law to cover discrimination based on sex, sexual orientation, gender reassignment and pregnancy and maternity. The draft Regulations are the result of a lengthy and widespread consultation. It is important that the law commands the support of the community and also avoids placing unfair burdens on businesses and other organisations. I believe that the Regulations achieve both of these aims. When we consulted on the Regulations, there was overwhelming public support: trade unions, associations, business representatives and members of the public all agreed that it was right to extend our Discrimination Law in these areas. There will always be concerns about the detail of any new law, which is why we have worked hard to get the balance right between the need to protect individuals from unjustified ill treatment, while limiting the burden we place on businesses, both large and small. The Regulations anticipate and provide for a wide range of unlikely scenarios and circumstances, but we should remember that, for the most part, not discriminating against someone is simply a matter of common sense. Employers, for example, can and should hire the best person for the job and deal with employees based on the way in which they do their work, not on any particular characteristic. My priority is to make sure that the new law is appropriate for businesses of all sizes. There are no bureaucratic hoops for employers to jump through, no extra paperwork and no red tape. That does not mean that the law creates no new burdens, we just have to strike the right balance. Some employers may be concerned that they will no longer be allowed to refuse to employ someone who is pregnant or who they think may become pregnant in the future, but I make no apology; we cannot exclude women from the workplace simply because they have young children. **[Approbation]** We need to take full advantage of the skills of all the people in Jersey. These Regulations provide a framework of protection that any law has to be interpreted by the courts and tribunals. I look forward to debating the details of the provisions, but I ask Members to be aware that only the Tribunal can make a ruling on specific cases and scenarios. We have to be concerned with the principles of the law rather than advising on hypothetical situations. This is an important measure for Jersey; it will help us to meet our international obligations, in particular, C.E.D.A.W. (the Convention on the Elimination of all forms of Discrimination against Women) and it will also demonstrate that we are a modern and forward-looking society. I thank those Members who attended the briefings and I hope the Regulations will draw as much support in this Chamber as they do in the Island as a whole. I propose the principles.

**The Bailiff:**

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? All those in favour of adopting the principles, kindly show. **[Interruption]** The appel is called for. I invite Members to return to their seats and I ask the Greffier to open the voting.

<b>POUR: 33</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 1</b>
Senator P.F. Routier				Connétable of St. John
Senator A.J.H. Maclean				
Senator I.J. Gorst				

Senator L.J. Farnham				
Senator A.K.F. Green				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Peter				
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Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy of St. John				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

**The Bailiff:**

The Deputy of St. Ouen, does your panel wish to scrutinise these Regulations?

**The Deputy of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):**

No, Sir.

**The Bailiff:**

Thank you. Then, Minister, I think you wish to propose Regulations 1 and 2?

**12.2 Deputy S.J. Pinel:**

Yes, please, Sir. Regulation 1 provides that the Discrimination Law will be amended by these Regulations. Regulation 2 adds the protected characteristics to the existing interpretation section in the law. I propose Regulations 1 and 2.

**The Bailiff:**

Seconded? **[Seconded]** Does any Member wish to speak? Those Members in favour of adopting the Regulations, kindly show. Those against? Regulations 1 and 2 are adopted. Do you wish to propose Regulation 3?

**12.3 Deputy S.J. Pinel:**

Yes, thank you, Sir. Regulation 3. The role of the Discrimination Law is not to address all social injustice or promote the ideals of pressure groups. The media interest in these amendments has been significant but the reports have indicated that businesses and mothers do not currently experience difficulties and there appears to be no problem to solve. Deputy Doublet's report even describes this as a non-issue. Regulation 3 also inserts some new paragraphs into Article 6 of the Discrimination Law to extend the circumstances that will be treated as direct discrimination. There is less favourable treatment because of a particular characteristic and there is no defence. Circumstances that would be included are: less favourable treatment of people in a civil partnership or married people and less favourable treatment on the grounds of pregnancy and maternity such as because of maternity leave or pregnancy-related illness. Going back to where I started, may I take the opportunity at this stage to say that I accept both the amendments of Deputies Vallois and Doublet?

#### **12.4 Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-(P.40/2015): amendment (P.40/2015 Amd.)**

##### **The Bailiff:**

Very well, we now come to the amendment of Deputy Doublet and I ask the Greffier to read the amendment.

##### **The Deputy Greffier of the States:**

Regulation 3. Immediately before the paragraphs added to Article 6, insert "(3) In relation to the protected characteristic of sex, for the purposes of Part 5, direct discrimination includes treating a woman less favourably because she is breastfeeding a child under the age of 24 months." Renumber the subsequent inserted paragraphs.

##### **12.4.1 Deputy L.M.C. Doublet:**

I will try to be brief. Just to, first of all, clarify for Members and for the public really that this law and this amendment is not to regulate whether breastfeeding in public is legal or not because it is already legal and acceptable to do so in Jersey but what it will do is set out the level of protection from unfair treatment. So this amendment is about the level of protection and how far we should go with it. So, as it stands - and I thank the Minister for Social Security for including this in the Regulations - women will be protected for 26 weeks after childbirth if they want to breastfeed in public and the characteristic here is maternity; so to recognise the fact that women may be particularly vulnerable at this time. This, I believe, is from experts' opinion that exclusive breastfeeding is recommended for the first 26 weeks of a child's life. However, when I saw this, knowing what I do about early years and child development, my thought was: could we extend it? Because there is further expert recommendations from the World Health Organisation that says breastfeeding up to at least 2 years and beyond is recommended even while the child has been introduced to solid foods. So that was really the first reason why I picked the 2-year timeframe but also, as I started researching, and I have done a lot of research on this, we voted unanimously on supporting the 1,001 Days commitment which is up to the first 2 years of a child's life, and there are so many health benefits for mother and baby that you can see with extended breastfeeding. I did speak to lots of different groups, some of them mentioned in my report, and I just wanted to clarify it says in my report the National Childcare Trust. It was the National Childbirth Trust that have supported this. I want to thank all of those groups: the Jersey Child Care Trust, the Community Relations Trust, the Breastfeeding Support Group and the National Childbirth Trust for their support and help in doing my research on this. Also, we do have a Breastfeeding Working Group in Jersey who have developed their own policy, I believe, under the Health Department. So that policy says that we should be promoting breastfeeding for at least the first 2 years, so there is real robust evidence for this 2 years of protection. At this point in my research, I did have some

help from the *J.E.P.* Parenting Page who did a poll and the poll was so overwhelmingly in support of being tolerant of women breastfeeding in public I started to think: “Well perhaps there should not be an age limit on this.” I am very thankful to Deputy Vallois for adding her amendment to my amendment and I do hope that Members will vote in favour of both of these so that we can have unlimited protection for women breastfeeding their children to whichever age they choose. So, I am a little confused about the order of things now.

**The Bailiff:**

You have just proposed your amendment. Have you finished proposing?

**Deputy L.M.C. Doublet:**

Yes. Well I hope Members will support both of the amendments, please. So my amendment as amended by the Deputy of St. John. Can I just point out as well that on the financial and manpower implications, this will save us money because there would be less confusion? There will be even less confusion with the Deputy of St. John’s amendment to my amendment accepted because we will not be getting any confusion from business owners over what is acceptable. It will just be very straightforward so it should save some money as well.

**The Bailiff:**

Is the amendment seconded? [**Seconded**]

## **12.5 Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-(P.40/2015): amendment (P.40/2015 Amd.) - amendment (P.40/2015 (Amd.Amd.))**

**The Bailiff:**

We now come to the amendment to the amendment lodged by the Deputy of St. John and I ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

Page 2. In the inserted paragraph (3), delete the words “under the age of 24 months”.

### **12.5.1 Deputy T.A. Vallois of St. John:**

I am not going to be long. Everything that I need to have said with regards to my amendment, considering it is very short and very simple in terms of removing “under the age of 24 months” I have pretty much laid out in the report. I will just specifically refer to what is known as the Equality Act in the U.K. is the reason why I am putting this amendment to Deputy Doublet’s amendment, but I had discussions with her before and I felt it appropriate to bring this amendment. I hope Members feel the same way as I do about not having an age limit on this particular area of the Sex Discrimination Law and I hope that I will receive full support from the Assembly.

**The Bailiff:**

Is the amendment seconded? [**Seconded**] Does any Member wish to speak on the amendment? Minister.

### **12.5.2 Deputy S.J. Pinel:**

Just to reiterate a bit of what Deputy Doublet mentioned in her opening remarks. The protection we have already included in the Regulations does not require breastfeeding to stop at any age, nor does it require a service provider to prevent or refuse to serve a woman breastfeeding an older child. After 26 weeks, continued breastfeeding is a matter of parental choice and a mother has other feeding options so the need for additional protection is not so great.

[16:00]

In fact, the latest statistics show that only 1 per cent of mothers in the U.K. are still breastfeeding at 26 weeks and so our proposal would protect the vast majority of mothers for the entire time they choose to breastfeed. For these reasons I am confident that Regulations as drafted provide an appropriate level of protection. In my view, it is not the role of discrimination law to promote the ideals of pressure groups about extended periods of breastfeeding, however, I am not strongly opposed to providing a longer period of protection and I will vote in favour of the amendment.

**The Bailiff:**

Does any other Member wish to speak on the amendment to the amendment? Do you wish to reply?

**12.5.3 The Deputy of St. John:**

I would just like to say I am grateful to the Minister and her department for accepting this amendment to the amendment. I propose the amendment and ask Members to support it.

**The Bailiff:**

The appel is called for. The vote is on the amendment by the Deputy of St. John to the amendment of Deputy Doublet. I invite Members to return to their seats and I ask the Greffier to open the voting.

<b>POUR: 37</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator P.F. Routier				
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator A.K.F. Green				
Senator Z.A. Cameron				
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Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy J.A. Hilton (H)				
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Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				

Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

## **12.6 Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-(P.40/2015): amendment (P.40/2015 Amd.) - as amended**

### **The Bailiff:**

We now return to the amendment of Deputy Doublet as amended. Does any Member wish to speak? All those in favour of adopting the amendment, kindly show. Those against? The amendment is adopted.

## **12.7 Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-(P.40/2015) - resumption - as amended**

### **The Bailiff:**

So we now come back to Regulation 3 as proposed by the Minister for Social Security but now amended in accordance with the 2 amendments lodged. Does any Member wish to speak? All those in favour of adopting Regulation 3, kindly show. Those against? The Regulation is adopted. Do you wish to propose Regulations 4 to 6, Minister?

### **12.7.1 Deputy S.J. Pinel:**

Regulation 4 amends the definition of indirect discrimination so that the protection that the law provides against indirect discrimination is extended to sex, sexual orientation and gender reassignment. In considering whether an act is indirect discrimination, what matters is whether the treatment is a proportionate means of achieving a legitimate aim and the tribunal will have to take into account all the circumstances of the case. Regulation 5 amends the existing definition of clubs to meet the original intention. Guests of clubs will also be protected and the law will apply only to clubs that have 25 or more members and where membership of the club is regulated by rules and based on a selection process. Regulation 6 extends the existing harassment provision to sexual harassment. It is also amended to remove the requirement for unwanted conduct to be directed towards a subject. I propose Regulations 4, 5 and 6.

### **The Bailiff:**

Seconded? **[Seconded]** Does any Member wish to speak on Regulations 4 to 6? Deputy Martin.

### **12.7.2 Deputy J.A. Martin:**

Yes, I just want slightly a bit more clarification on Article 25 as amended. The law of the clubs, as the Minister just described it quite briefly, the way I read it, if this is to be law it still discriminates under 5(5): “(a) that has at least 25 members; and (b) admission to membership of which is regulated by the club’s rules and involves a process of selection.” Now can the Minister just clarify to me ... because I did ask the adviser at the presentation and his answer was the clubs think they are okay under the law, but I do not think they will be okay. The way the Minister just described it there still, to me, will be a certain amount of discrimination for certain clubs. It is by that “selection” line that is really worrying me. Thank you.

### **12.7.3 Deputy M. Tadier:**

I have got a question about Article 5 in gender reassignment. The Minister may be aware that, I think, the States have previously passed a carve-out for the Church of England so that they do not have to perform a marriage for somebody if they believe that person has been subject to gender reassignment. That is what the previous States had voted for; I did not, incidentally. Can the Minister explain whether or not that area will be revisited or will be affected, given the fact that we have now got a sex component of the discrimination legislation coming forward, and what her views are perhaps more generally on that; whether people who have undergone gender reassignment should be subject to this continued discrimination from the Church of England?

**The Bailiff:**

Does any other Member wish to speak? Then I call on the Minister to reply.

**12.7.4 Deputy S.J. Pinel:**

I thank Deputy Martin for her question. Perhaps I can clarify the club situation. The law applies in general to clubs and associations with 25 members or more and many of the clubs that we are familiar with are in fact services being provided to the public rather than genuine membership-based organisations. For example, a golf club is likely to be a club and a service. A gym with a subscription is probably a service. Whether a particular club comes within the definition is something that will have to be decided for itself and act accordingly. In answer to Deputy Tadier, there is no movement at the moment. Transgender is something new in this law and, to avoid discrimination, transgender people should be treated as their recognised gender for all purposes. This applies to the use of facilities and services, retirement age, job requirements, but there is nothing in this particularly to associate with religion.

**The Bailiff:**

Very well, all Members in favour of adopting Regulations 4 to 6, kindly show. Those against? The Regulations are adopted. Minister, you wish to propose Regulations 7 to 8?

**12.8 Deputy S.J. Pinel:**

Regulation 7 sets out the 4 new protected characteristics: sex, sexual orientation, gender reassignment and pregnancy and maternity. Regulation 8 provides all of the exceptions that will be inserted into Schedule 2 of the Discrimination Law. Appropriate exceptions are made for situations where treatments based on a protected characteristic is either justified or it occurs in circumstances where the law should not interfere. The Regulations extend some of the existing exceptions for race to the new characteristics and they also introduce a number of new exceptions that are specific to one or more of the new characteristics. It is reassuring that there have been no amendments to the exceptions and so I will not go into detail on all 20 of these but obviously Members will have the opportunity to raise questions. The 10 general exceptions apply in the following areas: national security, positive action, charities, clubs, pre-selection by an agency, selection for domestic employment, genuine occupational requirements, vocational training, provision of care in a carer's home and disposal of premises. The 10 exceptions that relate to one or more of the new characteristics are single-sex schools, single-sex services, segregation in religious services, recruitment to role in an organised religion, finance and insurance, communal accommodation, sport and competitions, health and safety risks during pregnancy and maternity, recruiting to limited-term contracts during pregnancy and maternity, and maternity leave pay. I propose Regulations 7 and 8.

**The Bailiff:**

Seconded? [**Seconded**] Does any Member wish to speak on Regulations 7 and 8? All Members in favour of adopting Regulations 7 and 8, kindly show. Those against? The Regulations are adopted. Do you wish to propose Regulations 9 and 10, Minister?

### **12.9 Deputy S.J. Pinel:**

Regulation 9 would repeal Article 15 of the Gender Recognition (Jersey) Law 2010 on the basis that an appropriate exception would be included instead in the Discrimination Law, schedule 2, paragraph 21. Regulation 10 provides for the Regulations to come into force on 1st September 2015 which is the same day the family-friendly rights will come into force under the Employment Law. I propose Regulations 9 and 10.

#### **The Bailiff:**

Seconded? [**Seconded**] Does any Member wish to speak? Those in favour of adopting Regulations 9 and 10, kindly show. Those against? The Regulations are adopted. Do you wish to propose the Regulations in Third Reading?

### **12.10 Deputy S.J. Pinel:**

Yes, please, Sir.

#### **The Bailiff:**

Seconded? [**Seconded**] Does any Member wish to speak in Third Reading? Yes, Senator Routier.

#### **12.10.1 Senator P.F. Routier:**

Really, I just wanted to thank the Minister for the efforts she went to to ensure that Members had the opportunity to come to briefing sessions regarding this legislation. It is vitally important legislation which we are approving today but I think that, as we have gone through today, we have been quite amazed that we have managed to get business done quite quickly. But I think it just shows the benefit of attending the briefings which are put on by Ministers to help us to understand what we are approving. It might seem as if things are going through on the nod but there have been a lot of meetings beforehand before we get to make the decision. So thank you to the Minister for the briefings that we have had.

#### **12.10.2 Deputy J.M. Maçon:**

Again, in a similar vein, although we are getting through this legislation quite quickly, I hope that that would be seen as support from this Assembly and how long overdue this particular piece of legislation is. [**Approbation**] Also just to say that for the groups in society that this will bring protection for it is very much welcomed. I hope this Assembly will support it in giving the protections to these groups and that we are able to move forward and the other aspects which are to come forward in regards to age and disability. Thank you.

#### **12.10.3 The Deputy of St. Ouen:**

I would like to thank the Minister and the staff of her department for making the presentation to the Health and Social Services Security Panel, together with the very knowledgeable expert engaged by the Minister who was able to help us. We were entirely satisfied that the Minister had engaged in a very full consultation with interested groups and we could see that there had been a great deal of input and thought behind these Regulations. Thank you.

#### **The Bailiff:**

Does any other Member wish to speak? Do you wish to reply, Minister?

#### **12.10.4 Deputy S.J. Pinel:**

I thank Senator Routier for his very kind words. It has been an extremely long and complex time of consultation and briefings and no stone has been unturned in our efforts to comply with recommendations by members of the public, interested stakeholders and certainly the Scrutiny Panel. I thank Deputy Maçon and look forward to going onwards and upwards with age and

disability discrimination, and the chairman of the Scrutiny Panel, the Deputy of St. Ouen. I said I am particularly grateful to the stakeholders who participated in our consultations and in helping make sure the new Regulations are sensible and workable. In addition, I would like to acknowledge the tireless work over the past year of Kate Morel and Sue Duhamel of the Social Security Department and Darren Newman, a consultant in employment law, and also the invaluable input of Vic Tanner Davy. This has provided Jersey with a long-awaited balance and commonsensical law. I would also like to thank the members of the Scrutiny Panel for the constructive suggestions they have made and which helped us in clarifying and improving the Regulations. I call for the appel.

**The Bailiff:**

The appel is called for. I invite Members to return to their seats. The vote is on whether to adopt the Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations in Third Reading and I ask the Greffier to open the voting.

<b>POUR: 37</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 1</b>
Senator P.F. Routier				Connétable of St. John
Senator A.J.H. Maclean				
Senator I.J. Gorst				
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Deputy A.D. Lewis (H)				
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Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				

**Senator A.J.H. Maclean:**

If I may, could I just raise a couple of points which will be of relevance to Members? The first is in relation to P.42 which is coming up very shortly on the Order Paper: the Public Finances Law. There is an amendment, and having had constructive discussions with the Corporate Services Scrutiny Panel, we have agreed to defer until the next sitting so that we can amend our amendment. I would just like to mention to Members that that will be deferred with the agreement of the Corporate Services Scrutiny Panel. The other point I wanted to mention, I made in comments this morning quite lengthy discussions around the Jersey International Finance Centre and N.D.A.s. I mentioned McKinsey and the fact that some information had leaked into the public domain. I just wanted to make it absolutely clear, because there was some sensitivity that I might have been referring to the former Economic Affairs Scrutiny Panel, that that was not the case at all. I was not and I wish to put that on record that that is not the case. Thank you.

[16:15]

**13. Draft Employment (Amendment of Law) (Jersey) Regulations 201- (P.41/2015)**

**The Bailiff:**

Very well, we come to the Draft Employment (Amendment of Law) (Jersey) Regulations - P.41/2015 - lodged by the Minister for Social Security and I ask the Greffier to read the citation of the draft.

**The Deputy Greffier of the States:**

Draft Employment (Amendment of Law) (Jersey) Regulations 201-. The States, in pursuance of Article 104(3B) of the Employment (Jersey) Law 2003, have made the following Regulations.

**13.1 Deputy S.J. Pinel (The Minister for Social Security):**

It appears I am almost in competition with Senator Maclean today. Currently, an employee must work or be contracted to work for at least 8 hours each week to be entitled to 3 of the Employment Law rights. These Regulations would amend the Employment Law so the rights to written terms of employment and the rights to claim unfair dismissal are extended to those who are employed for less than 8 hours a week. The Regulations would also provide that a week in which an employee is employed for less than 8 hours a week counts in computing the minimum period of notice that must be given on termination of employment. These 3 employment rights will then depend only on whether the person is an employee or not as defined by the Employment Law. We have always intended that this threshold would be removed from the Employment Law when protection against sex discrimination is introduced because women are more likely than men to work part-time. Removing the threshold is also more consistent with our forthcoming family-friendly policies such as the right to request flexible working. As requested during the recent consultation on sex discrimination, J.A.C.S. (Jersey Advisory and Conciliation Service) has provided guidance on this change for employers and employees. Having just approved the Sex Discrimination Regulations, I hope that Members will agree to this related Employment Law change. I propose the principles.

**The Bailiff:**

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? All those in favour of adopting the principles, kindly show. Those against? The principles are adopted. Perhaps you would like to propose them *en bloc*, Minister?