

STATES OF DELIBERATION

9th December, 2009

**Billet d'État No. XXXIII
Article 5**

AMENDMENT

Proposed by: HM Procureur
Seconded by: HM Comptroller

**Ordinance entitled "The Children (Miscellaneous Provisions) (Guernsey and Alderney)
Ordinance, 2009"**

In the Ordinance entitled "The Children (Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2009" -

- (a) immediately after section 56 (set out in the Brochure at page 102) insert the following section -

"Amendment of section 109(3) of the Law.

56A. In section 109(3) of the Law, for the definition of "**assisted reproduction**", substitute the following definition -

"assisted reproduction" means the use of medical, scientific, or technical procedures or treatment to enhance fertility (including, without limitation, drug therapy, artificial insemination and in vitro fertilisation),"

- (b) in paragraph 2 of the First Schedule (set out in the Brochure at page 105) for "paragraph 4 of the Third Schedule" substitute "section 19".

EXPLANATORY NOTE

The Children (Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2009 gives effect to and supplements the provisions of the Children (Guernsey and Alderney) Law, 2008 with effect from 4 January 2010.

- (a) Part IX of the Ordinance contains amendments to the 2008 Law, one of which should be an amendment to the definition of "assisted reproduction" in accordance with the policy described in Billet d'État XXXI of 2009 (see page 2761). The amendment set out in paragraph (a) inserts a provision into Part IX of the Ordinance which will make the necessary amendment to the definition of assisted reproduction, so that scientific and technical procedures or treatment to enhance fertility are included.
- (b) The version of paragraph 2 of the First Schedule to the Ordinance which appears in the Brochure (see page 105) incorrectly requires notice of a Children's Convenor meeting to be given to the persons described in paragraph 4 of the Third Schedule (which deals with hearings before the Child, Youth and Community Tribunal). The amendment set out in paragraph (b) will rectify the error by replacing the reference to paragraph 4 of the Third Schedule with a reference to clause 19 of the Ordinance (see page 75 of the Brochure) which provides for the persons who may attend a Children's Convenor meeting.