

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

28th September, 2022

Proposition No. P.2022/70

Committee for Employment & Social Security

The Prevention of Discrimination (Guernsey) Ordinance, 2022

AMENDMENT

Proposed by: Deputy Y Burford
Seconded by: Deputy P T R Ferbrache

In the draft Ordinance entitled "the Prevention of Discrimination (Guernsey) Ordinance, 2022" (Article V of Billet d'Etat No. XVII of 2022)

1. For section 5, substitute –

"Religion or belief.

5. (1) Religion or belief is a protected ground.
- (2) Religion means any religion and a reference to religion includes a reference to a lack of religion.
- (3) Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- (4) In relation to the protected ground of religion or belief -
- (a) a reference to a person who has a particular protected ground is a reference to a person of a particular religion or belief,
- (b) a reference to persons who share a protected ground is a reference to persons who are of the same religion or belief."

2. In paragraph 5 of the Schedule, for "religious belief", substitute "religion or belief".
3. In paragraph 11 of the Schedule, for "religious belief", substitute "religion or belief".
4. In paragraph 17 of the Schedule, for "religious belief", substitute "religion or belief".
5. In paragraph 24 of the Schedule, for "religious belief", substitute "religion or belief".
6. In paragraph 25(2) of the Schedule, for "religious belief", substitute "religion or belief".
7. In paragraph 35 of the Schedule, for "religious belief", substitute "religion or belief".
8. In paragraph 39 of the Schedule, whenever it occurs, for "religious belief", substitute "religion or belief".

Rule 4(1) Information

- a) The proposition contributes to the States Policy Plan and Government Work Plan which support the introduction of discrimination legislation.
- b) Consultation has been undertaken with the Committee for Employment & Social Security.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) It is not considered that there will be any significant financial implications of carrying this proposal into effect.

Explanatory note

This amendment seeks to expand the protected ground of religious belief to one of religion or belief, which aligns with the equivalent definition in the UK Equality Act 2010. It will mean that a philosophical belief (or lack of a belief) which is not based on religion has the potential to benefit from protection from discrimination under the Ordinance.