

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 N. Moakes
Seconded by: Deputy S.P.J Vermeulen

At the end of the Proposition add: "subject to the amendment indicated below".

In sections 50(1)(b), 51(1)(b), 51(2)(b), 52(b), 55(4)(a)(ii), 55(4)(b)(ii), and 56(2)(b)(ii), for "£10,000" substitute "£5,000".

Rule 4(1) information

- a) The proposition contributes to the States' objectives and policy plans as it is in line with the States strategic objective of introducing legislation to prevent discrimination.
- b) In preparing the proposition there have been discussions and communications about the amendment with the President and Members of the Committee for Employment and Social Security and Committees Officers.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications to the States of carrying the proposal into effect.

Explanatory Note

The purpose of this amendment is to reduce the amount of compensation, payable for injury to feelings, from £10,000 to £5,000.

Whilst larger businesses might be able to absorb a fine of £10,000, it could have a devastating effect on smaller businesses which is clearly not the intention of this ordinance. £5,000 is still a significant amount of money.

In addition, we need to ensure that Guernsey remains competitive, retains existing business, and continues to be an attractive jurisdiction for inward investment.