

2.9 Deputy F.J. Hill of St. Martin of the Chief Minister regarding the introduction of Inheritance legislation:

Given that on 31st March 2009, in answer to my question asking why legislation in respect of inheritance had not been lodged, the Chief Minister stated that the draft legislation was on the Legislation Advisory Panel's agenda for its May meeting and he would advise Members of the outcome of the panel's discussions. Will the Minister inform Members of the outcome and when the legislation will be lodged?

Senator T.A. Le Sueur (The Chief Minister):

The Assistant Minister, Deputy Le Fondré is Chairman of the Legislation Advisory Panel and I would ask that he act as rapporteur to this question.

Deputy J.A.N. Le Fondré (Assistant to the Chief Minister - rapporteur):

As noted in the responses to a number of questions in the past, consultation was still not finalised with certain bodies at the end of the term of office of the previous Advisory Panel. From initial views taken just before the summer recess, apparently further work is still required on technical aspects of the wider law. However, equally, the panel is not happy with the time it has taken to resolve the matter concerning illegitimate children and has therefore decided to split its work into 2 phases; one dealing with the comparatively easy matter of illegitimate children and the other to continue to look at the detailed aspects of the wider proposals. This was discussed again yesterday and we believe we can recommend lodging this part of the law very soon and hopefully before the end of the year.

2.9.1 The Deputy of St. Martin:

Is the Assistant Minister aware that the present situation is not human rights compliant and it does raise serious issues about human rights compliance?

Deputy J.A.N. Le Fondré:

As I said, we felt that the whole delay on certainly the illegitimate children's side, which is one of the main drivers behind the changes, is unacceptable and that is why we are focusing on that to get that as a significant issue sorted as soon as we can.

2.9.2 The Deputy of St. Martin:

Could I just seek an assurance from the Assistant Minister? Could he give the House some indication as to how soon this legislation will come? How soon is how soon?

Deputy J.A.N. Le Fondré:

We had 2, in legal terms, relatively minor matters that we considered yesterday. I am hoping that in 2 weeks' time when we are meeting solely to consider the matter, we will have a final draft which we can then recommend to the Chief Minister for lodging. However, I will obviously caveat that with making sure that we are happy with the final draft but our intention certainly is to get it lodged before Christmas.

2.9.3 Deputy R.G. Le Hérissier:

I wonder if the Chairman could inform the House whether this matter was referred to his Committee, as indeed might be the law we have just discussed? It was referred to his Committee because of questions about its human rights compliancy. If so, could he tell us how the agenda of the Committee is generally formed?

Deputy J.A.N. Le Fondré:

As I said, it was a piece of legislation that has been inherited by the panel from previous panels so I cannot clarify as to the origin of it but it is obviously something that has been on our list. We consider it extremely important and it is at the top of our list and will remain there until it is cleared.