

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**26<sup>th</sup> April, 2023**

**Proposition No. P.2023/19**

**Committee for Employment & Social Security**

**The Employment and Equal Opportunities Service (Guernsey) Law, 2023**

**AMENDMENT**

Proposed by: Deputy J F Dyke

Seconded by: Deputy P T R Ferbrache

At the end of the Proposition add: “, subject to replacing clause 17(5) with the following provision:-

“(5) On an appeal under this section the Director shall have the burden of proof and the appellant the final right of reply.”

**Rule 4(1) Information**

- a) The amendment contributes to States’ objectives and policy plans by clarifying and restricting the powers of the Director established under the Employment and Equal Opportunities Service (Guernsey) Law, 2023.
- b) The Law Officers and other lawyers and the two lawyer members of the Legislation Review Panel have been consulted.
- c) HM Procureur has been consulted.
- d) There are no financial implications.

**Explanatory Note**

The purpose of the amendment is to place the burden of proof on the Director of the Employment and Equal Opportunities Service when defending any appeal against a decision that he or she may have made and to give the appellant the final right of reply in the appeal proceedings.