

**WRITTEN QUESTION TO THE CHIEF MINISTER BY  
DEPUTY A.E. JEUNE OF ST. BRELADE**

**ANSWER TO BE TABLED ON TUESDAY 20th JANUARY 2009**

**Question**

Following a States decision on 11th November 2003 on inheritance laws (a vote of 40-0 to abolish discrimination of illegitimate offspring) and in light of the response given to Deputy K.C. Lewis of St. Saviour on 1st July 2008, will the Chief Minister be progressing legislation to update inheritance laws to ensure fairness and equity for illegitimate persons and bring Jersey's laws on this matter in line with the European Convention of Human Rights and other international obligations and, if so, will he undertake to lodge this for debate by the end of February 2009?

**Answer**

The Legislation Advisory Panel has been looking into the Inheritance Laws throughout 2008. On 29th July 2008, the Panel recommended that the Chief Minister proceed to lodge 'au Greffe' the draft Wills and Succession (Amendment) (Jersey) Law 200- and the draft Inheritance (Provision for Family and Dependants) (Jersey) Law 200-, subject to the following –

- (a) the inclusion of a suitably amended report to accompany the draft Inheritance (Provision for Family and Dependants) (Jersey) Law 200- Law;
- (b) provision of legal advice from the Law Officers' Department in connexion with the position of creditors under the draft Inheritance (Provision for Family and Dependants) (Jersey) Law 200-; and
- (c) the satisfactory conclusion of consultation with the Royal Court.

At its meeting on 25th November 2008 the Legislation Advisory Panel noted that consultation with the Royal Court had taken place. The Panel also discussed a letter received from the Bailiff (as President of the Royal Court) which raised some issues regarding technical aspects of the draft legislation.

The Panel agreed that the best course of action would be to adjourn this matter and allow its successor Advisory Panel, once appointed, to discuss the matter with the Bailiff and a delegation of Jurats early in the New Year.

I am currently in the process of appointing the members of the new Legislation Advisory Panel, and this issue will be on the Panel's Agenda at its first meeting in February 2009. Given the timescale it will not be possible for the Assembly to debate the draft Inheritance Law by the end of February 2009. It will be for the new Panel to decide whether it is minded to recommend that the draft legislation is presented to the Assembly for approval in due course.