

September 2011

## THE RED LETTER

By Jessica Williams

Welcome to the Red Letter, with information about legal developments in Guernsey and in AO Hall's specialist areas of [corporate](#), [dispute resolution](#), [employment](#), [fiduciary](#) and [intellectual property](#).

### MY NEWS

I hope everyone is well rested after the summer holidays and enjoying being back at work! My holiday is now a distant memory, having spent two weeks in Italy in late April when the weather was rather nicer. Here's hoping for a (very late) Indian summer...

I work in Dispute Resolution and the last few months have proven to be very busy, despite summer traditionally being a slower period when people are away. We have had a number of summer students join us from local schools and UK universities over the summer and it has been fun working with them. Without exception, they have shown a real passion for learning about the legal profession.

### OUR NEWS

**Internal move** In reflection of the increased work flow in litigation, partner Elaine Gray has moved to be with our Dispute Resolution team. Elaine will focus on contentious work, including employment and IP disputes, as well as commercial and trust litigation. Elaine has a long track record in litigation work, earning praise from Legal 500 for her excellent work in court, so we are really pleased to add her to the team. The team now has four Advocates and a team of supporting lawyers, with a depth of experience across a wide range of disputes.

#### Filling the Pensions Black Hole Change of Date

Paul Buckle is holding a breakfast seminar on the highly controversial issue of pension fund deficits on 16 September 2011 at St James. For details click [here](#).

#### AO Hall's Employment Conference

Our third annual Conference takes place on 23 September at St James. The topic is Stress at Work. After role plays by our AO Hall acting team depicting the main sources of workplace stress (demands, control, support, relationships, role, change) and a session with medical expert Dr Robert Gallagher, delegates will be led through a hypothetical case study under the guidance of a panel of experts. Click [here](#) for details.

### GUERNSEY NEWS

#### Image Rights Legislation

Later this month Guernsey's States will debate the introduction of legislation on image rights - a world first. Elaine has been working closely with the IP Office here in relation to the proposal, which can read about [here](#). We will update you as soon as the outcome is known.

### ARTICLES...

#### Endeavouring to get it right

Click [here](#) to read Laura and Kim's article in relation to drafting and negotiating 'endeavours' clauses.

#### Will you still need me when I'm 65?

Click [here](#) to read Rachael's article on the potential exposure for an employer when giving an employee notice of compulsory retirement at a specific age.

#### Limits on US courts jurisdiction

We were privileged to have Kevin J. Walsh of Locke Lord Bissell & Liddell in New York speak at our Fraud Conference last year. Kevin has prepared a fascinating and useful paper on the limits of the jurisdiction of US courts, which you can read [here](#).

### COMMUNITY...

Those of you who travel past the site of Les Bourgs can't fail to see how well Guernsey's new hospice is progressing. Open days for the public are planned but don't forget Les Bourg Hospice relies solely on donations and does not receive any States funding. With £1.7m still to raise, every penny counts.

### LIGHT RELIEF...

The answers to last month's competition were: South Africa – King Protea, Madeira – Bird of Paradise flower, Chile – Chilean Bell Flower, Egypt – Lotus Flower and, Belize – Black Orchid.

Moving from plant life to the animal world, here's a joke I enjoyed this week, the catch line for which is also a famous book. A prize goes to the first person who correctly identifies the author:

A panda bear walks into a bar and orders a sandwich. The waiter brings him the sandwich. The panda bear eats it, pulls out a pistol, shoots the waiter, and gets up and starts to walk out. The bartender yells for him to stop. The panda bear asks, "What do you want?" The bartender replies, "First you come in here, order food, shoot my waiter, then try to go without paying for your food." The panda bear turns around and says, "Hey! I'm a Panda. Look it up!" The bartender goes into the back room and looks up 'panda bear' in the encyclopedia, which reads: "Panda: a bear-like



### UK Bribery Act

The first prosecution against an individual has been brought under the new UK Bribery Act. Click [here](#) to read more.

### The States Strategic Plan (SSP)

The 2011-2016 SSP for Guernsey's States and the States Strategic Monitoring Report (SSMR) 2011 are now available online. These set out the future direction for Guernsey's government. The SSP will be debated at a special meeting in mid-October. Read more [here](#).

### Guernsey Facts and Figures 2011

Guernsey Facts and Figures 2011 is now available [here](#).

### Afghanistan and Al-Qaida sanctions

Click [here](#) to read about further sanctions.

### Maternity and paternity consultation

Click [here](#) to read the consultation documents issued by Commerce and Employment Department on the proposal to introduce maternity and paternity leave and benefits in Guernsey. The proposals include the prospect of leave being taken interchangeably between mothers and fathers. The deadline for responding is 27 September 2011.

### New minimum wage rates

The rates will increase from 1 October 2011. Click [here](#) for details.

### Pan-Islands Data Protection Commissioner

This month the States of Guernsey and Jersey have initiated a review into the feasibility of having a single Data Protection Commissioner across the two Bailiwicks. For more information, click [here](#).

### GFSC news

The GFSC has signed a Memorandum of Understanding with the German Supervisory Authority - read the details [here](#). Also from the GFSC, the second quarter investment and banking statistics have now been released. Click [here](#) and [here](#) to read more.

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Thanks for reading my Red Letter. Feel free to contact me with any questions or comments on the contact details below or at [info@aohall.com](mailto:info@aohall.com).

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... and a beautiful marsupial originating in Asian regions. Known largely for its stark black and white colouring. Eats, shoots and leaves."

With thanks from A Joke a Day online.

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