

GUERNSEY STATUTORY INSTRUMENT

1974 - No. 32

The Social Insurance (Pensions, Existing Beneficiaries and Other Persons)
(Transitional) (Amendment) (Guernsey) Regulations, 1974.

Made 29th August, 1974.
Laid before the States
Coming into operation 4th November, 1974.

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by section seventy-two and section seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended, and of all other powers enabling it in that behalf, hereby orders:-

Amendment of regulation one of the principal regulations

1. In regulation one of the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1971, as amended (hereinafter referred to as "the principal regulations"), the definition of the expression "the relevant day" is hereby repealed and the following definition is hereby substituted therefor -

" "relevant day" means the fourth day of November, nineteen hundred and seventy-four. "

Amendment of regulation three of the principal regulations

2. In paragraph (3) of regulation three of the principal regulations the figures and word "50 years" are hereby repealed and the words "forty years" are hereby substituted therefor.

Amendment of regulation five of the principal regulations

3. Regulation five of the principal regulations is hereby further amended as follows, that is to say -

- (a) in sub-paragraph (a) of paragraph (1) thereof, the words "three pounds and fifty new pence" are hereby repealed and the words "four pounds and ninety new pence" are hereby substituted therefor;
- (b) in paragraph (3) thereof, the figures and word "50 years" are hereby repealed and the words "forty years" are hereby substituted therefor;
- (c) in paragraph (4) thereof, the words "seven pounds" are hereby repealed and the words "ten pounds" are hereby substituted therefor.

Amendment of regulation six of the principal regulations

4. Regulation six of the principal regulations is hereby further amended as follows, that is to say -

- (a) the words "seven pounds", wherever they occur, are hereby repealed

- and the words "ten pounds" are hereby substituted therefor;
- (b) the words "two pounds", wherever they occur, are hereby repealed and the words "three pounds" are hereby substituted therefor;
 - (c) the words "three pounds and fifty-five new pence", wherever they occur, are hereby repealed and the words "five pounds and ten new pence" are hereby substituted therefor;
 - (d) in item (i) of sub-paragraph (a) of paragraph (3) thereof, the words "fifty years" are hereby repealed and the words "forty years" are hereby substituted therefor;
 - (e) in item (ii) of the said sub-paragraph (a) the word "and" is hereby repealed;
 - (f) item (iii) of the said sub-paragraph (a) is hereby repealed.

New regulation six A

5. Immediately after regulation six of the principal regulations there is hereby inserted the following additional regulation designated "6A" and the following heading thereto -

"Certain existing widow pensioners previously entitled to widows' basic pensions to become entitled to widows' pensions"

6A.(1) Subject to the provisions of the Law and of these regulations, an existing widow pensioner to whom sub-paragraph (b) of paragraph (2) of the last preceding regulation applies and who satisfies the conditions as to residence set out in paragraph (2) of this regulation shall, on and after the fourth day of November, nineteen hundred and seventy-four, be entitled to a widow's pension as if her husband had satisfied the conditions contained in paragraph 4 of the Third Schedule to the Law, if -

- (a) at the date of her husband's death she had attained the age of forty years; or
- (b) at the date on which she ceased to have a family which included a child in respect of whom an additional allowance under section nine of the Ordinance of 1962 was payable by virtue of her husband's insurance, she had attained the age of forty years; or
- (c) being a widow who has ceased to be incapable of self-support by reason of any infirmity, she ceased to be so incapable at a time when she had attained the age of forty years.

(2) The provisions of paragraph (1) of this regulation shall apply to an existing widow pensioner who -

- (a) (i) being a widow entitled under the Contributory Pensions Laws to a widow's pension on the seventh day of October, nineteen hundred and sixty-one, was on that day ordinarily resident in Guernsey; or
- (ii) being a widow who became entitled under those Laws to a widow's pension after the seventh day of October, nineteen hundred and sixty-one, was ordinarily resident in Guernsey on the day she became so entitled; or
- (iii) not being a widow to whom any of the preceding provisions of

this paragraph relate, is a widow who was entitled under those Laws to a widow's pension and who became ordinarily resident in Guernsey after the seventh day of October, nineteen hundred and sixty-one, and after the day on which she became so entitled to a widow's pension; and

(b) was ordinarily resident in Guernsey on the appointed day.

(3) The rate of widow's pension payable to a widow by virtue of this regulation shall be the rate to which she would be entitled had she been, on the appointed day, a widow to whom the provisions of paragraph (3) of regulation five of these regulations applied.

(4) The provisions of paragraph (3) of the last preceding regulation shall apply in relation to a widow's pension payable by virtue of this regulation as if for the reference in that paragraph to the widow's basic pension of a widow to whom sub-paragraph (b) of the paragraph last preceding the said paragraph (3) there were substituted a reference to the widow's pension payable to a widow by virtue of this regulation."

Amendment of regulation eight of the principal regulations

6. Regulation eight of the principal regulations is hereby further amended as follows, that is to say -

(a) the words "seven pounds", wherever they occur, are hereby repealed and the words "ten pounds" are hereby substituted therefor;

(b) in sub-paragraph (c) of paragraph (2) thereof the figures and word "50 years" are hereby repealed and the words "forty years" are hereby substituted therefor;

(c) sub-paragraph (d) of paragraph (2) thereof is hereby repealed and the following sub-paragraph is hereby substituted therefor-

"(d) if she has attained pensionable age on the relevant date and on or before the appointed day she had attained the age of forty years, to an old age pension of ten pounds."

Amendment of regulation nine of the principal regulations

7. Regulation nine of the principal regulations is hereby further amended as follows, that is to say -

(a) the words "three pounds and fifty five new pence", wherever they occur, are hereby repealed and the words "five pounds and ten new pence" are hereby substituted therefor;

(b) in paragraph (3) thereof, the words "four pounds and twenty new pence" are hereby repealed and the words "six pounds" are hereby substituted therefor;

(c) in paragraph (9) thereof, the words "two pounds" are hereby repealed and the words "three pounds" are hereby substituted therefor.

Amendment of regulation ten of the principal regulations

8. Regulation ten of the principal regulations is hereby further amended as follows, that is to say -

(a) the words "three pounds and fifty five new pence", wherever they occur,

are hereby repealed and the words "five pounds and ten new pence" are hereby substituted therefor;

(b) in paragraph (5) thereof, the words "four pounds and twenty new pence" are hereby repealed and the words "six pounds" are hereby substituted therefor;

(c) in paragraph (11) thereof, the words "two pounds" are hereby repealed and the words "three pounds" are hereby substituted therefor.

Amendment of regulation fourteen of the principal regulations

9. In regulation fourteen of the principal regulations the words "three pounds and fifty five new pence" are hereby repealed and the words "five pounds and ten new pence" are hereby substituted therefor.

Replacement of Schedules to the principal regulations

10. The First, Second, Third, Fourth and Fifth Schedules to the principal regulations are hereby repealed and the Schedules set out in the Schedule to these regulations are hereby substituted therefor.

Citation, collective title and commencement

11.(1) These regulations may be cited as the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Amendment) (Guernsey) Regulations, 1974.

(2) These regulations and the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1971 and 1973, may be cited together as the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1971 to 1974.

(3) These regulations shall come into operation on the fourth day of November, nineteen hundred and seventy-four.

Dated this 29th day of August , nineteen hundred and seventy-four.

E. H. BODMAN

President of the States Insurance Authority
for and on behalf of that Authority

SCHEDULE

Regulation 10

"

FIRST SCHEDULE

PART 1

Table showing rate of old age pension payable to a person to whom paragraph (1) of regulation nine of these regulations applies.

(1)	(2)
Rate of existing old age pension in payment immediately before the appointed day to an existing old age pensioner.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
40. 0	£10.00
36. 0	£ 9.00
32. 0	£ 8.00
28. 0	£ 7.00
24. 0	£ 6.00
21. 0	£ 5.00
18. 0	£ 4.05
16. 0	£ 3.95
14. 6	£ 3.45
12. 0	£ 2.95

PART II

Table showing rate of old age pension payable to a person to whom paragraph (2) of regulation nine of these regulations applies.

(1)	(2)
Rate of existing old age pension in payment immediately before the appointed day to an existing old age pensioner.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
25. 0	£6.00
22. 6	£5.45
20. 0	£4.80
18. 0	£4.20
17. 6	£4.20
16. 0	£3.80
15. 0	£3.55
14. 6	£3.45
12. 6	£3.00
12. 0	£2.80

PART III

Table showing rate of old age pension payable to a married woman to whom paragraph (4) of regulation nine of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (1) of regulation nine of these regulations	Rate of old age pension payable to the wife of an insured person by virtue of his insurance.
£10.00	£6.00
£ 9.00	£5.45
£ 8.00	£4.80
£ 7.00	£4.20
£ 6.00	£3.55
£ 5.00	£3.00
£ 4.05	£4.05
£ 3.95	£3.95
£ 3.45	£3.45
£ 2.95	£2.95

PART IV

Table showing increase in the rate of an old age pension payable to a married man to whom paragraph (3) of regulation nine of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (1) of regulation nine of these regulations.	Amount by which the rate of old age pension specified in Column (1) is to be increased.
£10.00	£6.00
£ 9.00	£5.45
£ 8.00	£4.80
£ 7.00	£4.20
£ 6.00	£3.55
£ 5.00	£3.00
£ 4.05	£2.50
£ 3.95	£2.20
£ 3.45	£2.00
£ 2.95	£1.70

SECOND SCHEDULE

Table showing rate of old age pension payable to a person to whom paragraph (2) of regulation ten of these regulations applies.

Table 1

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (d) of Article 2 of the Law of 1947	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
26. 0	£10.00
23. 0	£ 9.00
20. 0	£ 8.00
18. 0	£ 7.00
15. 0	£ 6.00
13. 0	£ 5.00

Table 2

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (a) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
18. 0	£4.05
16. 0	£3.95
14. 6	£3.45
12. 0	£2.95

Table 3

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (b) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
40. 0	£10.00
36. 0	£ 9.00
32. 0	£ 8.00
28. 0	£ 7.00
24. 0	£ 6.00
21. 0	£ 5.00

THIRD SCHEDULE

Tables showing rate of old age pension payable to a person to whom paragraph (3) of regulation ten of these regulations applies.

Table 1

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (d) of Article 2 of the Law of 1947.	Rate of old age pension to be payable from the relevant day, in place of existing old age pension specified in Column (1).
s. d.	
16. 0	£6.00
14. 0	£5.45
12. 0	£4.80
11. 0	£4.20
9. 0	£3.55
8. 0	£3.00

Table 2

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (c) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
18. 0	£4.05
16. 0	£3.95
14. 6	£3.45
12. 0	£2.95

Table 3

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (b) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the relevant day, in place of the existing old age pension specified in Column (1).
s. d.	
25. 0	£6.00
22. 6	£5.45
20. 0	£4.80
17. 6	£4.20
15. 0	£3.55
12. 6	£3.00

FOURTH SCHEDULE

Table showing rate of old age pension payable to a married woman to whom paragraph (6) of regulation ten of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (2) of regulation ten of these regulations.	Rate of old age pension payable to the wife of an insured person by virtue of his insurance.
£10.00	£6.00
£ 9.00	£5.45
£ 8.00	£4.80
£ 7.00	£4.20
£ 6.00	£3.55
£ 5.00	£3.00
£ 4.05	£4.05
£ 3.95	£3.95
£ 3.45	£3.45
£ 2.95	£2.95

FIFTH SCHEDULE

Table showing increase in the rate of old age pension payable to a married man to whom paragraph (5) of regulation ten of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (2) of regulation ten of these regulations.	Amount by which the rate of old age pension specified in Column (1) is to be increased.
£10.00	£6.00
£ 9.00	£5.45
£ 8.00	£4.80
£ 7.00	£4.20
£ 6.00	£3.55
£ 5.00	£3.00
£ 4.05	£2.50
£ 3.95	£2.20
£ 3.45	£2.00
£ 2.95	£1.70

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport)

These Regulations further amend the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1971, as amended, so as to provide for the increase of benefit payable to existing beneficiaries in consequence of the higher standard rates of benefit approved by the States by their Resolution of the 29th May 1974. The increased rates of benefit are restricted to persons who are ordinarily resident in Guernsey. These Regulations also amend the provisions of the Regulations of 1971 relating to existing widow pensioners consequential upon the Resolution of the States of the 25th April 1974, approving the reduction in the lower age limit respecting entitlement to a widow's pension from fifty years to forty years and the abolition of the rule that to entitle a widow to a widow's pension her marriage must, at the date of her husband's death, have lasted at least three years.