

Island of  Guernsey

Ordinance of the States **XXII**

**1955**

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Made . . . . . 12th October, 1955.  
Coming into Operation . . 1st November, 1955.

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**The Alderney (Application of Legislation)  
(Non-Contributory Pensions) Ordinance,  
1955.**

THE STATES, in pursuance of section one of the Alderney (Application of Legislation) Law, 1948, and of all other powers enabling them in that behalf, hereby order:—

1. The Law and the Ordinance set out in the left-hand column of the Schedule to this Ordinance shall, subject to the exceptions, adaptations and modifications set out in the right-hand column of that Schedule, have effect in the Island of Alderney as they have effect in the Islands of Guernsey, Herm and Jethou.

2. This Ordinance shall come into force on the 1st day of November, 1955.

## SCHEDULE

*Law and Ordinance Exceptions, Adaptations and Modifications*

The Non-Contributory Pensions (Guernsey) Law, 1955.

In subsection (5) of section two and in subsection (2) of section three immediately after the word "States" there are hereby inserted the words "of Guernsey".

Subsection (4) of section five is hereby deleted.

In section thirteen the words "Royal Court" where those words occur in that section are hereby deleted and the words "Court of Alderney" are hereby substituted therefor.

In section fourteen immediately after the word "States" there are hereby inserted the words "of Guernsey".

In subsection (4) of section sixteen the words "Magistrate's Court sitting as a Petty Debts Court" are hereby deleted and the words "Court of Alderney" are hereby substituted therefor.

Subsections (2) to (6), both inclusive, of section seventeen are hereby deleted and the following subsections substituted therefor—

"(2) If no affiliation order is in force the Authority may within one year from the date of the commencement of the payment of the pension make application to the Court of Alderney for an affiliation order to be made in respect of that illegitimate child.

(3) In any application under the provisions of the last preceding subsection the Court of Alderney shall hear such evidence as the Authority may produce in addition to such other evidence as the said Court may require and shall in all other respects, but subject to the provisions of the next succeeding subsection, proceed as on an application made by the mother for an affiliation order in respect of that illegitimate child.

(4) An affiliation order may, on an application under subsection (2) of this section, be made so as to provide that the payments or a part of the payments to be made thereunder shall, in lieu of being made to the mother or a person appointed to have the custody of the child, be made to the Authority or to such other person as the Court of Alderney may direct.

(5) On an application by the Authority in any proceedings for an affiliation order brought by the mother of the child such an order may be so made so as to provide as aforesaid.

(6) An affiliation order, whether made before or after the commencement of this Law may, on the application of the Authority, be varied so as to provide as aforesaid; and any such order which provides as aforesaid may on the application of the mother of the child be varied so as to provide

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that the payments thereunder shall be made to the mother or a person appointed to have the custody of the child.”

Section nineteen is hereby deleted and the following section substituted therefor—

“ 19. (1) A person who applies for or obtains, or attempts to apply for or obtain, assistance from the Public Assistance Committee, without disclosing that he is receiving a pension or any person who applies for or obtains, or attempts to apply for or obtain, a pension without disclosing that he is receiving assistance as aforesaid, shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten pounds or to a term of imprisonment not exceeding one month or to both such fine and such term of imprisonment.

(2) The amount of any assistance as aforesaid or of a pension obtained by any person in contravention of the last preceding subsection may be recovered by the Public Assistance Committee or by the Authority, as the case may be, as a civil debt.”

In section twenty-seven—

(1) the definition of “affiliation order” is hereby deleted and the following definition substituted therefor—

“affiliation order” means an order of the Court of Alderney adjudging a

man to be the putative father of an illegitimate child and ordering him to pay a sum of money periodically towards the maintenance and education of that child;

(2) in the definition of "marrimonial order" the words "under the provisions of the Law entitled "Loi relative à la Séparation de Mariés en Police Correctionnelle" registered on the Records of this Island on the 21st day of August, 1930" are hereby deleted and the words "Royal Court" are hereby deleted and the words "Court of Alderney" substituted therefor, and

(3) in the definition of the word "Guernsey" there is hereby inserted after the words "Islands of" the word "Alderney" and a comma.

The Non-Contributory Pensions (Implementation) Ordinance, 1955. In subsection (2) of section fourteen the words "of the Court" are hereby deleted.

In subsection (8) of section fourteen the word "Magistrates" and the word "said" are hereby deleted.

Immediately before the definition of "application" in subsection (1) of section twenty-five there is hereby inserted the following additional definition—  
"advocate" means an Advocate of the Royal Court of the Island of Guernsey;

In the definition of "Court" in subsection (1) of section twenty-five the words

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“Royal Court” are hereby deleted and the words “Court of Alderney” are hereby substituted therefor.

In the Second Schedule the address on the Notice of Appeal form is hereby deleted and the following address substituted therefor—

“To the Registrar of Appeals,  
States Office,  
Alderney.”

JAMES E. LE PAGE,

Her Majesty's Greffier.