

Island of  Guernsey

Ordinance of the States **XXXIX**
1971

Made	11th June, 1971.
Came into Operation ...	11th June, 1971.
Laid before the States ...	30th June, 1971.

**The Alderney (Application of Legislation)
(Supplementary Benefit) Ordinance, 1971**

THE STATES LEGISLATION COMMITTEE, in exercise of the powers conferred upon them by paragraph (3) of Article sixty-six of the Reform (Guernsey) Law, 1948(a), and by section one of the Alderney (Application of Legislation) Law, 1948(b), and of all other powers enabling them in that behalf, hereby order:—

1. The Law and Ordinance set out in the left-hand column of the First 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 Island of Guernsey.

Law and
Ordinance
to have effect
in Alderney.

(a) Ordres en Conseil Vol. XIII, p. 288.
(b) Ordres en Conseil Vol. XIII, p. 448.

Repeal. 2. The Ordinances set out in the Second Schedule to this Ordinance are hereby repealed.

Citation. 3. This Ordinance may be cited as the Alderney (Application of Legislation) (Supplementary Benefit) Ordinance, 1971.

Commencement. 4. This Ordinance shall come into force on the eleventh day of June, nineteen hundred and seventy-one.

FIRST SCHEDULE Section one

*Law and Ordinance**Exceptions, Adaptations and
Modifications*

The Supplementary Benefit In subsection (3) of section two and in
(Guernsey) Law, 1971(c). subsection (2) of section three im-

mediately after the word "States"
there are hereby inserted the words
"of Guernsey".

Subsection (4) of section five is hereby
deleted.

In section fourteen the words "Royal
Court", where those words occur in
that section, are hereby deleted and
the words "the Court" are hereby
substituted therefor.

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

Subsections (2) to (6), both inclusive, of
section nineteen are hereby deleted
and the following subsections substi-
tuted therefor—

"(2) If no affiliation order is in
force the Authority may within three
years from the date of the com-
mencement of the payment of the
supplementary benefit make applica-
tion to the Court for an affiliation
order to be made in respect of that
illegitimate child.

(3) In any application under the
provisions of the last preceding sub-
section the Court shall hear such
evidence as the Authority may pro-
duce in addition to such other
evidence as the 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.

*Law and Ordinance**Exceptions, Adaptations and
Modifications*

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

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

“20.(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 supplementary benefit or any person who applies for or obtains, or attempts to apply for or obtain, a supplementary benefit without disclosing that he is receiving assistance as aforesaid, shall be guilty of an

*Exceptions, Adaptations and
Modifications*

offence and liable, on conviction, to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.

(2) The amount of any assistance as aforesaid or of a supplementary benefit 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-eight—

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

"affiliation order" means an order of the Court 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) the definition of "the Court" is hereby deleted and the following definition substituted therefor—

"the Court" means the Court of Alderney;";

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

(4) in the definition of "matrimonial order" the words "under the provisions of the Law entitled "Loi relative à la Séparation de Mariés en Police Correctionnelle" registered on the twenty-first day of August, nineteen hundred and thirty" are hereby deleted and the words "Royal Court" are hereby deleted and the words "the Court" substituted therefor.

*Law and Ordinance**Exceptions, Adaptations and
Modifications*

The Supplementary Benefit (Implementation) Ordinance, 1971(d). In subsection (2) of section fifteen the words "of the Court" are hereby deleted.

In subsection (8) of section fifteen the word "Magistrate's" and the word "said" are hereby deleted.

In subsection (1) of section twenty-six—

(a) the definition of "advocate" is hereby deleted and the following definition is substituted therefor—

"advocate" means an Advocate of the Royal Court of the Island of Guernsey;

(b) in the definition of "the Court" the words "Royal Court" are hereby deleted and the words "the 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."

SECOND SCHEDULE Section two

Ordinances Repealed

- The Alderney (Application of Legislation) (Non-Contributory Pensions) Ordinance, 1955(e).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) Ordinance, 1959(f).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) (No. 2) Ordinance, 1960(g).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) Ordinance, 1967(h).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) (Additional Classes of Persons) Ordinance, 1967(i).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) (No. 2) Ordinance, 1969(j).
- The Alderney (Application of Legislation) (Non-Contributory Pensions) Ordinance, 1970(k).

R. H. VIDELO,

Her Majesty's Greffier.

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- (e) Recueil d'Ordonnances Vol. XI, p. 151.
(f) Recueil d'Ordonnances Vol. XII, p. 193.
(g) Recueil d'Ordonnances Vol. XII, p. 388.
(h) Recueil d'Ordonnances Vol. XV, p. 223.
(i) Recueil d'Ordonnances Vol. XV, p. 260.
(j) No. XIV of 1969.
(k) No. XXXII of 1970.