

Island of



Guernsey

## Ordinance of the States

**XXXI**  
**2009**

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Made .....27th October, 2009

Coming into Operation .....1st November, 2009

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### **The Employers' Liability (Compulsory Insurance) (Exemptions) Ordinance, 2009**

## **The Employers' Liability (Compulsory Insurance) (Exemptions) Ordinance, 2009**

**THE STATES**, in pursuance of their Resolution of the 24<sup>th</sup> September, 2008<sup>a</sup>, and in exercise of the powers conferred on them by sections 4 and 10 of the Employers' Liability (Compulsory Insurance) (Guernsey) Law, 1993<sup>b</sup>, hereby order:-

### **Exemption from requirement to insure against employers' liability.**

1. (1) An employer which satisfies the conditions in subsection (2) is, for the purposes of section 4 of the Employers' Liability (Compulsory Insurance) (Guernsey) Law, 1993, exempted from the requirement of that Law to insure and maintain insurance.

(2) The conditions are -

- (a) the employer is a company,
- (b) the company has only one employee, and
- (c) the employee owns more than half in value of the company's equity share capital.

(3) In this section -

**"company"** includes any body corporate, and

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<sup>a</sup> Article X of Billet d'État No. XII of 2008.

<sup>b</sup> Ordres en Conseil Vol. XXXIV, p. 551.

"**equity share capital**" means a company's issued share capital excluding any part thereof which, as respects neither dividends nor capital, carries a right to participate beyond a specified amount in a distribution.

(4) In determining whether an employee owns more than half in nominal value of a company's equity share capital any shares held by him as nominee or in a fiduciary capacity shall be treated as not owned by him.

**Citation.**

2. This Ordinance may be cited as the Employers' Liability (Compulsory Insurance) (Exemptions) Ordinance, 2009.

**Commencement.**

3. This Ordinance shall come into force on the 1<sup>st</sup> November, 2009.

K.H. TOUGH,  
Her Majesty's Greffier.

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