

Island of Guernsey

Ordinance of the States **XXI**

1990

Made 26th July, 1990.
Came into Operation ... 1st August, 1990.

The Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990

THE STATES, in pursuance of their Resolutions of the 30th June, 1988(a), 27th April, 1989(b) and 28th March, 1990(c), and in exercise of the powers conferred on them by sections 15(1)(c), 15(2) and 19 of the Right to Work (Limitation and Proof) (Guernsey) Law, 1990(d), hereby order:—

1. (1) If the Authority upon an application being made to it in such form and accompanied by such information as it may (in general or in any particular case) require, is satisfied that the person in respect of whom the application is made is residing, or intends to reside, on board a vessel of whose crew he is or intends to be a

Boat crew
declarations.

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- (a) on Articles I of Billet d'Etat No. XIV 1988.
(b) on Article XLIX of Billet d'Etat No. VIII of 1989.
(c) on Article XII of Billet d'Etat No. VII of 1990.
(d) Ordres in Council No. V of 1990.

member, the Authority shall issue a boat crew declaration entitling him to work as such whilst he is so residing.

(2) If the Authority is not satisfied as to all of the matters mentioned in subsection (1) of this section it shall refuse to issue a boat crew declaration and notify the applicant in writing of its reasons as soon as practicable; and a person aggrieved by such a refusal may appeal to the Ordinary Court, by way of a summons served on the President of the Authority within two months of that notification, on the ground that the Authority ought to have been satisfied as to all of those matters.

(3) A boat crew declaration shall be in such form as the Authority may from time to time determine, shall be signed by a person authorised in that behalf by the Authority, and shall specify:

- (a) the name of its holder; and
- (b) the name and address of its holder's employer; and
- (c) the name and port of registry of the vessel on which its holder will reside and be employed; and
- (d) the location of that vessel's mooring; and
- (e) the date on which it is to commence; and
- (f) the date on which it is to expire.

(4) Section 2 of the Right to Work (Limitation and Proof) (Guernsey) Law, 1990 is amended as follows:

(a) immediately after section 2(1)(e) there is inserted:

“(f) a boat crew declaration issued by the Authority in accordance with any Ordinance made under section 15(1)(c) of this Law”;

(b) immediately after section 2(2)(e) there is inserted:

“(f) in the case of a boat crew declaration:
(i) if its holder ceases to reside on board the vessel specified in it; or
(ii) if its holder ceases to be employed as a member of the crew of the vessel specified in it; or
(iii) on the date on which it is expressed to expire.”.

(5) In this section—

“the Authority” means the States Housing Authority;

“holder”, in relation to a boat crew declaration, means the person identified in it as the person in respect of whom it was issued.

2. The Right to Work (Limitation and Proof) Commence-
(Guernsey) Law, 1990 shall come into force as follows: ment of Law.

(a) except for sections 1, 9 and 13, on 1st August 1990;

(b) sections 1, 9 and 13, on 1st December 1990.

Change of effective date.

3. The Right to Work (Limitation and Proof) (Guernsey) Law, 1990 is modified by substituting for the date "9th June 1988" in

(a) paragraph (a) of section 1(2) of that Law, and

(b) the amendment to the Social Insurance (Guernsey) Law, 1978 effected by paragraph (b) of section 6(1) of that Law,

the date "1st December 1989".

Citation.

4. This Ordinance may be cited as the Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990.

Construction.

5. This Ordinance and the Right to Work (Limitation and Proof) (Guernsey) Law, 1990 are to be construed as one.

Commencement.

6. This Ordinance shall come into force on 1st August 1990.

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

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Her Majesty's Greffier, Royal Court House, Guernsey.**

PRICE 25p