

PROJET DE LOI

ENTITLED

The Public Assistance (Amendment) (Guernsey) Law, 1990

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[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Orders in Council Vol. XXXII, p. 50.

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ARRANGEMENT OF SECTIONS

1. Amendment of Law of 1937.
2. Savings for Ordinances and Regulations.
3. Construction.
4. Citation.
5. Commencement.

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THE STATES, in pursuance of their Resolution of the 1st day of June, 1989, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Amendment of Law of 1937.

1. The Public Assistance Law, 1937, as amended^a (hereinafter referred to as "**the principal Law**"), is hereby further amended as follows –

- (a) paragraphs (2) and (3) of Article 1 thereof are repealed and the following paragraphs numbered "(2)", "(3)", "(4)" "(5)" are substituted therefor –

"(2) On such date as the States shall by Ordinance specify, all the powers and duties of the Central Outdoor Assistance Board and the Stranger Poor Assistance Committee under this Law shall be transferred to and, thereafter, all such powers and duties shall be exercised by the States Public Assistance Authority constituted under this Law.¹

^a Ordres en Conseil Vol. XI, p. 91; Vol. XIV, p. 363; Vol. XVI, p. 264; Vol. XVII, p. 255; Vol. XIX, p. 149; Vol. XX, p. 135; Vol. XXI, p. 34; Vol. XXII, p. 521; No. XI of 1986.

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(3) The States Public Assistance Authority constituted under this Law (hereinafter referred to as "**the Authority**") shall be composed of seven members elected by the States as follows –

- (a) a President who shall be for the time being a sitting member of the States of Deliberation,
- (b) three members who shall be for the time being sitting members of the States of Deliberation, and
- (c) three members who shall be for the time being Douzeniers of any of the Parishes of the Island.²

(4) Except as expressly provided in paragraph (3) of this Article, the constitution of the Authority shall be such as shall from time to time, be prescribed by the States by Resolution.³

(5) The cost of the Public Assistance Service administered in accordance with the provisions of this Law by the Authority and the Parochial Outdoor Assistance Boards shall be borne out of monies provided by the States."⁴

(b) Articles II and V thereof are repealed,

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- (c) Article VI thereof is repealed and the following Article is substituted therefor –

"ARTICLE VI
POWERS AND DUTIES OF THE AUTHORITY

The Authority shall be responsible for carrying out the provisions of this Law and for overseeing the work of the Parochial Outdoor Assistance Boards.",⁵

- (d) in Article VII thereof immediately after paragraph (13) there is inserted the following additional paragraph numbered "(14)" –

" (14) Except as expressly provided in paragraphs (1) to (13) (both paragraphs inclusive) of this Article, the constitution of a Parochial Outdoor Assistance Board of any Parish shall be such as shall, from time to time, be prescribed by the States by Resolution.",⁶

- (e) sub-paragraphs (a), (b), (c) and (h) of paragraph (i) of paragraph (1) of Article VIII thereof are repealed.⁷

- (f) sub-paragraph (e) of paragraph (1) of Article VIII thereof is repealed and the following sub-paragraph is substituted therefor –

"(e) shall, in accordance with any directions which

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may, from time to time, be given by the Authority in that behalf, generally oversee and administer outdoor assistance in its Parish,"⁸

- (g) in sub-paragraph (f) of Article VIII thereof the words "the Central Outdoor Assistance Board" are repealed and the words "the Authority" are substituted therefor and the words "that Board" are repealed and the words "the States, by Ordinance" are substituted therefor,⁹
- (h) in sub-paragraph (g) of Article VIII thereof the words "the Central Outdoor Assistance Board" are repealed and the words "the Authority" are substituted therefore,¹⁰
- (i) paragraph (2) of Article VIII thereof is repealed,
- (j) Articles XI and XII thereof are repealed,
- (k) in Article XIII thereof the words "the Stranger Poor Assistance Committee" are repealed and the words "the Authority" are substituted therefor,¹¹
- (l) in Article XIV the words "or Committee" are repealed where they thrice occur,¹²
- (m) Article XV thereof is repealed,
- (n) Article XVI thereof is repealed and the following

Article is substituted therefor –

"ARTICLE XVI
SUB-COMMITTEES

(1) The Authority shall have power to appoint such sub-committees as may, from time to time, be deemed necessary or expedient.

(2) Each Parochial Outdoor Assistance Board shall have powers to appoint from amongst its Members such sub-committees as may, from time to time, be deemed necessary or expedient.",¹³

(o) in paragraph (2) of Article XVII thereof the words "regulation of the Central Outdoor Assistance Board" are repealed and the words "by the States, by Ordinance" are substituted therefor,¹⁴

(p) in paragraph (8) of Article XVII thereof the words "it shall be lawful for the Central Outdoor Assistance Board to make regulations" are repealed and the words "the States may, by Ordinance make provision" are substituted therefor,¹⁵

(q) in paragraph (13) of Article XVII thereof the words "the Central Outdoor Assistance Board" are repealed and the words "the States by Ordinance," are substituted therefor,¹⁶

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- (r) in paragraph (14) of Article XVII thereof the words "the Central Outdoor Assistance Board" are repealed and the words "the Authority" are substituted therefor, the words "that Board" where it occurs firstly are repealed and the words "the Authority" are substituted therefor and the words "that Board" where it occurs secondly are repealed and the words "the States, by Ordinance" are substituted therefor,¹⁷
- (s) Article XVIII thereof is repealed,
- (t) Article XXII thereof is repealed and the following Article is substituted therefor –

"ARTICLE XXII

ORDINANCES OF THE STATES

(1) The States may, by Ordinance, make such provisions as they deem necessary or expedient for carrying out this Law into effect and, without prejudice to the generality of the foregoing, they may, by Ordinance, in particular, make provision –

- (a) for the proper administration of outdoor assistance, and
- (b) for prescribing the ordinary maximum rates of outdoor assistance payable by

the Authority and the Parochial Outdoor Assistance Boards so as to ensure a uniform basis of such assistance throughout the Island.

(2) Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in like manner to vary or repeal the Ordinance." .¹⁸

Savings for Ordinances and Regulations.

2. Any Ordinance or Regulations made under the provisions of the principal Law and in force immediately before the coming into force of this Law shall continue in force as though it were made under the provisions of the principal Law as amended by this Law until repealed or varied by Ordinance made under the provisions of the principal Law as amended by this Law.

NOTE

The following Ordinance has been made under section 2:

Central Outdoor Assistance Board Regulations (Amendment) Ordinance, 1991.

Construction.

3. This Law and the principal Law shall be construed as one.

Citation.

4. This Law may be cited as the Public Assistance (Amendment) (Guernsey) Law, 1990.

Commencement.

5. (1) This Law shall come into force on such day as the States may by Ordinance appoint.

(2) Any powers conferred by any provisions of this Law to make any Ordinance may be exercised at any time after the registration of this Law and before the day on which the provisions of this Law under which such Ordinance is made shall come into force:

Provided that such Ordinance shall not come into force until such aforesaid provisions of this Law under which it is made shall come into force.

NOTE

The Law was brought into force on the 1st October, 1990 by the Public Assistance (Amendment) (Guernsey) Law, 1990 (Commencement) Ordinance, 1990, section 1.

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- 1 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 2 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 3 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 4 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 5 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 6 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 7 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 8 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 9 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 10 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 11 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 12 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 13 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 14 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 15 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 16 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 17 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.
 - 18 For subsequent amendments, see the consolidated text of the Public Assistance Law, 1937.