

# ORDER IN COUNCIL

**III**  
**1971**

ratifying a Projet de Loi

ENTITLED

## **The Social Insurance (Amendment) (Guernsey) Law, 1971**

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(Registered on the Records of the Island of Guernsey  
on the 4th day of May, 1971.)

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1971.

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 4th day of May, 1971, before John Henry Loveridge, Esquire, C.B.E., Deputy Bailiff; present:—Bertram Guy Blampied, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Jean Le Pelley, Walter Francis Robin and Richard Alan Kinnersly, Esquires, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 5th day of April, 1971, ratifying a *Projet de Loi* entitled "The Social Insurance (Amendment) (Guernsey) Law, 1971", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney for registration on the records of that Island, of which Order in Council the tenor followeth:—

## At the Court at Windsor Castle

The 5th day of April 1971

PRESENT,

### The Queen's Most Excellent Majesty

LORD PRESIDENT

LORD CARRINGTON

MR. SECRETARY WALKER

MR. WOOD

SIR MICHAEL ADEANE

SIR BLANSHARD STAMP

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 24th day of March 1971, in the words following, viz:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

1. That, in pursuance of their Resolutions of the 26th day of February 1970 and of the 27th day of May 1970, the States of Deliberation at a meeting held on the 16th day of December 1970 approved a Bill or “Projet de Loi” entitled “The Social Insurance (Amendment) (Guernsey) Law, 1971” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed.

And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Social Insurance (Amendment) (Guernsey) Law, 1971" and to order that the same shall have force of law in the Islands of Guernsey, Alderney, Herm and Jethou.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi and to order, as it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Alderney, Herm and Jethou.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*W. G. Agnew.*

Projet de Loi referred to in the foregoing  
Order in Council.

## PROJET DE LOI

ENTITLED

### **The Social Insurance (Amendment) (Guernsey) Law, 1971**

THE STATES, in pursuance of their Resolutions of the twenty-sixth day of February, nineteen hundred and seventy, and of the twenty-seventh day of May, nineteen hundred and seventy, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Alderney, Herm and Jethou.

Amend-  
ments of  
section two  
of the  
principal  
Law.

1. (1) Subsection (2) of section two (which provides for the contributions payable by insured persons and employers) of the Social Insurance (Guernsey) Law, 1964 (hereinafter referred to as "the principal Law") (a) is hereby repealed and the following subsection is hereby substituted therefor:—

"(2) Subject to the provisions of this Law—

- (a) every employed person of any description set out in the first column of Part I of the First Schedule to this Law shall be liable, on and after the relevant day, to pay weekly contributions at the rate set out in relation to that description in the second column of the said Part I;
- (b) every employer of an employed person of any description set out in the first column

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(a) Ordres en Conseil Vol. XIX, p. 286; Vol. XX, p. 126;  
Vol. XXI, p. 143.

of Part II of the said Schedule, or of any person of that description who is to be treated by virtue of that Part of that Schedule as an employed person, shall be liable, on and after the said day, to pay weekly contributions in respect of that person at the rate set out in relation to that description in the second column of the said Part II;

(c) every self-employed person of any description set out in the first column of Part III of the said Schedule, shall be liable, on and after the said day, to pay weekly contributions at the rate set out in relation to that description in the second column of the said Part III;

(d) every non-employed person of any description set out in the first column of Part IV of the said Schedule, shall be liable, on and after the said day, to pay weekly contributions at the rate set out in relation to that description in the second column of the said Part IV.”.

(2) In paragraph (a) of subsection (3) of section two of the principal Law, the words and commas “, other than a contribution as respects limited medical benefit,” are hereby repealed.

2. Paragraph (b) of subsection (1) of section five of the principal Law (which provides for the exception from liability for, and crediting of, contributions) is hereby repealed and the following paragraph is hereby substituted therefor—

Amendments of section five of the principal Law.

“(b) crediting contributions to insured persons for—

- (i) periods for which they are excepted from liability by virtue of the foregoing paragraph;
- (ii) the period between the beginning of the contribution year last preceding that in which they become insured persons and their entry into insurance; and
- (iii) the period between the beginning of the contribution year last preceding that in which the relevant day occurs and the relevant day:

Provided that any regulations made under this sub-paragraph shall be restricted to a person who was an insured person immediately before the relevant day, and who, for the purpose of a claim either to death grant or maternity grant, is the person by whom the contribution conditions are to be satisfied.”.

Amend-  
ments of  
section ten  
of the  
principal  
Law.

3. In subsection (1) of section ten of the principal Law (which provides for widows who are employed persons)—

- (a) the words and figure “ of sub-paragraph (i) ” are hereby repealed; and
- (b) the words “ two pence ” are hereby repealed and the words “ three new pence ” are hereby substituted therefor.

Amend-  
ments of  
section  
eleven of the  
principal  
Law.

4. (1) Subsections (1) and (2) of section eleven of the principal Law (which set out descriptions and rates of benefit and contribution conditions) are hereby repealed and the following subsections are hereby substituted therefor—

“(1) Benefit shall be of the following descriptions:—

- (a) unemployment benefit;
- (b) sickness benefit;
- (c) limited medical benefit;
- (d) widow’s benefit, which shall include widow’s allowance, widowed mother’s allowance and widow’s pension;
- (e) guardian’s allowance;
- (f) old age pension;
- (g) industrial disablement benefit;
- (h) industrial medical benefit;
- (i) maternity benefit, which shall include maternity grant and maternity allowance;
- (j) child’s special allowance;
- (k) death grant;
- (l) travelling allowance grant.

(2) Subject to the provisions of this Law—

- (a) the weekly rates of the several descriptions of benefit, other than—
  - (i) limited medical benefit,
  - (ii) industrial medical benefit,
  - (iii) industrial disablement benefit,
  - (iv) maternity grant,
  - (v) death grant,
  - (vi) travelling allowance grant,
 shall be as set out in the second column of the Second Schedule to this Law; and
- (b) the contribution conditions for the several descriptions of benefit, other than—
  - (i) limited medical benefit,
  - (ii) travelling allowance grant,
  - (iii) industrial disablement benefit,

(iv) industrial medical benefit, shall be as set out in the Third Schedule to this Law.”.

(2) In paragraph (b) of subsection (4) of section eleven of the principal Law, immediately after the words “sickness benefit” there are hereby inserted the words “maternity allowance”.

(3) Subsection (5) of section eleven of the principal Law is hereby repealed and the following subsections are hereby substituted therefor—

“ (5) Subject to the provisions of this Law, any reference therein to the yearly average of the contributions paid by or credited to any person shall be construed as referring to contributions as an insured person only, and to that average (calculated in the prescribed manner) over the relevant period.

(6) In the last preceding subsection the expression “relevant period” means:—

(a) in respect of a claim to widow’s benefit, old age pension or child’s special allowance, the period—

(i) beginning—

(aa) if the insured person attained the age of sixteen years on or after the first day of January, nineteen hundred and fifty-two, with the beginning of the contribution year in which that insured person attained that age, or

(bb) if the insured person attained the age of sixteen years before the first day of January, nineteen hundred and fifty-two, with the beginning of the contribution

- year in which that day occurred,  
and
- (ii) ending with the end of the last complete contribution year before the date as at which the yearly average is to be ascertained;
- (b) in respect of a claim to death grant, the period—
- (i) beginning—
    - (aa) if the insured person attained the age of sixteen years on or after the relevant day, with the beginning of the contribution year in which that insured person attained that age, or
    - (bb) if the insured person attained the age of sixteen years before the relevant day, with the beginning of the contribution year in which that day occurred, and
  - (ii) ending with the end of the last complete contribution year before the date as at which the yearly average is to be ascertained.”.

5. Immediately after subsection (3) of section twelve of the principal Law (which sets out the right to unemployment and sickness benefit) there is hereby inserted the following additional subsection numbered “(3A)”—

Amend-  
ment of  
section  
twelve of  
the  
principal  
Law.

“(3A) A woman who has been confined and is entitled to a maternity grant in respect of that confinement (or would be so entitled if she made the necessary claim) shall not be entitled to unemployment benefit or sickness benefit in respect of any day falling within the period of four weeks

beginning with the date of the confinement; and this subsection shall apply in relation to a woman whose pregnancy is terminated otherwise than by confinement after she has become entitled to a maternity grant in expectation of her confinement as if she had been confined and the date of the confinement were the date on which her pregnancy is so terminated.”.

Amend-  
ment of  
section  
fifteen of  
the principal  
Law.

6. Section fifteen of the principal Law (which makes provision for limited medical benefit) is hereby repealed and the following section is hereby substituted therefor:—

“ 15. (1) Subject to the provisions of this Law, the States may by Ordinance make provision enabling the Authority to provide grants in respect of limited medical benefit of such amount or of such nature as the Authority may in its absolute discretion determine to, or in respect of, insured persons to whom this section applies:—

- (a) who suffer personal injury caused by accident otherwise than by accident arising out of and in the course of their employment; or
- (b) who are treated as non-employed persons in accordance with the provisions of any regulations made in pursuance of the provisions of this Law and who suffer personal injury caused by accident arising out of and in the course of their employment;

in such manner and subject to such conditions as may be specified in the Ordinance.

(2) The provisions of this section shall apply to any insured person who is liable to pay contributions in pursuance of the provisions of section two of this Law other than insured persons who are—

- (a) excepted from liability to pay contributions as aforesaid in pursuance of the provisions of any regulations made under the provisions of section five of this Law (which relates to exception from liability for, and crediting of, contributions) for reasons other than unemployment, incapacity for work, expected confinement or confinement, or
- (b) liable to pay, or who have elected to be liable to pay, a reduced rate of contribution by virtue of the provisions of section ten of this Law or of any regulations made under the provisions of section sixty-five of this Law (which relates to married women).

(3) For the purposes of subsection (1) of this section the expression "limited medical benefit" includes the provision of medical, surgical and pharmaceutical aid, the supply and renewal of artificial limbs and surgical appliances, the payment of hospital accommodation and travelling expenses."

7. Immediately after section fifteen of the principal Law there are hereby inserted the following additional sections numbered "15A, 15B and 15C"—

Inclusion of new sections in the principal Law.

"  
Maternity grant.

*Maternity benefit*

15A. (1) Subject to the provisions of this Law, a woman shall be entitled to a maternity grant of the amount specified in relation thereto in the Eighth Schedule to this Law if she has been confined and either—

- (a) she or her husband satisfies the contribution conditions set out in paragraph 2 (1) of the Third Schedule to this Law; or

(b) she satisfies either—

- (i) the contribution conditions for a maternity allowance; or
- (ii) any contribution conditions which she is required to satisfy in order to become entitled to a maternity allowance at a reduced rate by virtue of regulations made under section twenty-three of this Law.

(2) Except where regulations otherwise provide, a woman shall not be entitled to a maternity grant in respect of a confinement if on the date of the confinement she is outside Guernsey.

(3) Regulations may provide that a woman confined of twins or a greater number of children shall, if the other conditions for the payment of a maternity grant are satisfied in respect of the confinement, be entitled to a maternity grant for each of them.

(4) Regulations may provide that the provisions of this section shall apply to a woman, in a case where her claim indicates that she so desires, with the substitution for the condition that she has been confined of the condition that she is pregnant and has reached a stage in her pregnancy which is not more than the prescribed number of contribution weeks before that in which it is to be expected that she will be confined,

and may modify the contribution conditions for a maternity grant in their application to such a case.

(5) Subject to the provisions of subsection (3) of this section, a woman shall not be entitled to more than one maternity grant in respect of any one confinement.

(6) In this section the expression "husband" includes a widow's late husband where the benefit is claimed in respect of a posthumous son or daughter of his.

Maternity allowance.

15B. (1) Subject to the provisions of this Law, a woman shall be entitled to a maternity allowance at the weekly rate specified in relation thereto in the second column of the Second Schedule to this Law if—

- (a) she is pregnant and has reached a stage in her pregnancy which is not more than the prescribed number of weeks before the week in which it is to be expected that she will be confined (in this section referred to as the "expected week of confinement"); and
- (b) she satisfies the contribution conditions set out in paragraph 3 (1) of the Third Schedule to this Law.

(2) Subject to the succeeding provisions of this section, the period for which a maternity allowance is payable shall be the period of eighteen weeks

beginning with the eleventh week before the expected week of confinement.

(3) A woman who has become entitled to a maternity allowance shall cease to be entitled thereto if she dies before the beginning of the period mentioned in subsection (2) of this section; and if such a woman dies after the beginning but before the end of that period the allowance shall not be payable for any week subsequent to that in which she dies.

(4) Regulations may provide that a woman who has become entitled to a maternity allowance shall cease to be entitled thereto if her pregnancy is terminated otherwise than by confinement.

(5) Regulations may make provision, as respects cases where the date of the confinement occurs after the end of the expected week of confinement, for extending the period referred to in subsection (2) of this section until the end of such week (not being later than the sixth week after that in which the date of the confinement occurs) as may be prescribed by the regulations.

(6) Regulations may modify subsections (1), (2) and (3) of this section in relation to cases where a woman has been confined and either—

(a) she has not made a claim for a maternity allowance in respect

of expectation of that confinement (other than any claim which has been disallowed); or

- (b) she has made a claim for a maternity allowance in respect of expectation of that confinement (other than a claim which has been disallowed) but the date of the confinement was more than eleven weeks before the expected week of confinement,

and may modify the contribution conditions set out in paragraph 3 (1) of the Third Schedule to this Law in their application to such cases by substituting references to the week comprising the date of the confinement for references to the expected week of confinement.

(7) Regulations may provide for disqualifying a woman for receiving a maternity allowance if—

- (a) during the period for which the allowance is payable she does any work as an employed or self-employed person or fails without good cause to observe any prescribed rules of behaviour; or
- (b) at any time before her confinement occurs she fails without good cause to attend for or to submit herself to any medical examination required in accordance with the regulations.

(8) In this section the expression “week” means a contribution week.

(9) Where for any purpose it is necessary to calculate the daily rate of a maternity allowance—

- (a) Sunday or such other day in each week as may be prescribed shall be disregarded; and
- (b) the amount payable by way of that allowance for any other day shall be taken to be one-sixth of the weekly rate of the allowance.

Supple-  
mental  
provisions  
as to  
maternity  
benefit, etc.

15C. (1) In this Part of this Law—

- (a) the expression “confinement” means labour resulting in the issue of a living child, or labour after twenty-eight weeks of pregnancy resulting in the issue of a child whether alive or dead, and the expression “confined” shall be construed accordingly;
- (b) references to the date of the confinement shall be taken as referring, where labour began on one day results in the issue of a child on another day, to the date of the issue of the child or, if the woman is confined of twins or a greater number of children, to the date of issue of the last of them.

(2) The fact that the mother of an illegitimate child is entitled to maternity benefit shall not be taken into consideration:—

- (a) by the Magistrate’s Court in deciding whether or not to

make an order under the Law entitled "Loi relative à l'Entretien des Enfants Illégitimes" registered on the fourth day of June, nineteen hundred and twenty-seven; or

- (b) by the Court of Alderney in deciding whether or not to make an order under the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964;

for the payment of the expenses incidental to the birth of the child."

8. Section sixteen of the principal Law (which relates to widow's benefit) is hereby amended as follows:—

Amendments of section sixteen of the principal Law.

- (a) paragraph (a) of subsection (1) thereof is hereby repealed and the following paragraph is hereby substituted therefor—

"(a) in the case of a widow's allowance, if at the husband's death either—

- (i) he was not entitled to an old age pension or he had elected under the provisions of subsection (2) of section nineteen of this Law to be treated as if he were not so entitled, or

(ii) she was under pensionable age;"

- (b) in paragraph (a) of subsection (3) thereof the word "thirteen" is hereby repealed and the words "twenty-six" are hereby substituted therefor;

- (c) paragraph (c) of subsection (3) thereof is hereby repealed and the following paragraph is hereby substituted therefor—

“(c) in the case of a widow’s pension, any period during which she is under pensionable age or, being over pensionable age, has elected under the provisions of subsection (2) of section nineteen of this Law to be treated as if she were not entitled to an old age pension and for which she is not entitled to a widow’s allowance or widowed mother’s allowance;”;

(d) subsections (4) and (5) thereof are hereby repealed.

Amendments of section seventeen of the principal Law.

9. Section seventeen of the principal Law (which relates to widow’s pensions in special cases) is hereby amended as follows:—

(a) paragraph (a) of subsection (1) thereof is hereby repealed and the following subsection is hereby substituted therefor—

“(a) she is over the age of fifty but under pensionable age or, being over pensionable age, has elected under the provisions of subsection (2) of section nineteen of this Law to be treated as if she were not entitled to an old age pension; and”;

(b) paragraph (a) of subsection (3) thereof is hereby repealed and the following subsection is hereby substituted therefor—

“(a) she is over the age of fifty but under pensionable age or, being over pensionable age, has elected under the provisions of subsection (2) of section nineteen of this Law to be treated as if she were not entitled to an old age pension; and”.

10. Section nineteen of the principal Law (which relates to retirement pensions) is hereby repealed and the following section is hereby substituted therefor—

Amendment of section nineteen of the principal Law.

“

*Old age pensions*

Old age pensions.

19. (1) Subject to the provisions of this Law, a person shall be entitled to an old age pension on attaining pensionable age if—

- (a) he satisfies the relevant contribution conditions; and
- (b) he has not elected under the provisions of subsection (2) of this section to be treated as if he were not entitled to an old age pension.

(2) A person of such description as may be prescribed may, prior to attaining pensionable age, elect in such manner and in accordance with such conditions as may be prescribed to be treated, on attaining pensionable age, as if he were not entitled to an old age pension.

(3) An election made in accordance with the provisions of the last preceding subsection shall have effect from the date on which a person attains pensionable age and shall cease to have effect on such day, as may be prescribed, following the day on which that person either—

- (a) gives notice to the Authority of the cancellation of the said election in such manner as may be prescribed; or

(b) attains the age of seventy years; whereupon that person shall, on the first-mentioned day, become entitled to an old age pension.

(4) Subject to the provisions of this Law, an old age pension shall commence on the day on which a person becomes entitled thereto and shall be payable for life.

(5) The weekly rate of an old age pension payable to a person who has elected under the provisions of subsection (2) of this section to be treated as if he were not entitled to an old age pension shall be increased by ten new pence, or such other amount as the States may by Ordinance provide, for every nine contributions, or for every such other number of such contributions as the States may by Ordinance provide, (other than contributions at a reduced rate payable under section ten of this Law or any regulations made under section sixty-five of this Law) paid by that person in respect of the period during which such election has effect.”.

Amendment of section twenty of the principal Law.

11. Section twenty of the principal Law (which makes special provisions as to women) is hereby repealed and the following section is hereby substituted therefor—

“Special provisions as to women.

20. (1) Subject to the provisions of this Law, a woman over pensionable age shall be entitled to an old age pension by virtue of the insurance of her husband, being a husband:—

- (a) to whom she is married at the time when she attains that age; or
- (b) whom she has married after attaining that age;

if the following conditions are satisfied, that is to say—

- (c) he is entitled to an old age pension; and
- (d) in a case where she has married the husband after attaining pensionable age, such further conditions as may be prescribed.

(2) Subject to the provisions of this Law, an old age pension payable to a woman by virtue of her husband's insurance shall commence from the date on which the provisions of the last foregoing subsection are satisfied in relation to the pension and shall be payable for life.

(3) Subject to the provisions of this Law, where a man pays contributions as an insured person for a period during which an election made under the provisions of subsection (2) of the last preceding section has effect, then in respect of those contributions—

- (a) the weekly rate of any old age pension payable to his wife or widow by virtue of his insurance shall be increased by five new pence, or such other amount as the States may by Ordinance provide, for every nine contributions, or for every such other

number of such contributions as the States may by Ordinance provide, other than those paid for a period before she attains pensionable age; and

- (b) the weekly rate of any old age pension payable to his widow by virtue of his insurance or of hers shall be increased by five new pence, or such other amount as the States may by Ordinance provide, for every nine contributions, or for every such other number of such contributions as the States may by Ordinance provide (in addition to the increase, if any, under paragraph (a) of this subsection).

(4) Where, having elected under the provisions of subsection (2) of the last preceding section to be treated as if she were not entitled to an old age pension, a woman pays contributions as an insured person (other than contributions at a reduced rate payable under section ten of this Law or any regulations made under section sixty-five of this Law) for a period after her attaining pensionable age then in relation to an old age pension payable by virtue of her husband's insurance the contributions so paid by her for any period after his death shall be taken in account under subsection (3) of this section as if they were contributions paid by him as mentioned in that subsection.

(5) A woman shall not be entitled for the same period to more than one old age pension, but if she would be so entitled but for this provision may, on such occasions and in such manner as may be prescribed, choose that to which she shall be entitled.

(6) Where immediately before attaining pensionable age a woman is a widow, she may elect that, in calculating for the purpose of her right to an old age pension by virtue of her own insurance the yearly average of the contributions paid by or credited to her, there shall be treated as so paid or credited either—

- (a) for each contribution year falling wholly or partly before her husband's death; or
- (b) for each contribution year falling wholly or partly during the period of their marriage;

a number of contributions equal to the yearly average (ascertained as at the date of his attaining pensionable age or dying under that age) of the contributions paid by or credited to him, instead of the number of contributions actually paid by or credited to her for that year.

(7) Subsections (3) and (4) of this section, in relation to an old age pension payable to a woman by virtue of her husband's insurance, shall have effect in place of subsection (5) of the last preceding section.

(8) In relation to a woman who marries after attaining pensionable age subsections (3) and (4) of this section shall have effect subject to any prescribed modification.”.

Inclusion of  
new sections  
in the  
principal  
Law.

12. Immediately after section twenty of the principal Law there are hereby inserted the following additional sections numbered “20A, 20B and 20C” :—

“ *Child’s special allowance*

Child’s  
special  
allowance.

20A. Subject to the provisions of this Law, and in particular to subsection (9) of section twenty-one thereof, a woman whose marriage has been terminated by divorce shall be entitled to a child’s special allowance at the weekly rate specified in relation thereto in the second column of the Second Schedule to this Law if—

- (a) the husband of that marriage is dead and satisfied the contribution conditions set out in paragraph 4 (1) of the Third Schedule to this Law; and
- (b) she has a family which includes a child who at that husband’s death was, or but for the fact that the child was not then in Guernsey would have been, either a child of her family or, where the child is issue of theirs within the meaning of the Family Allowances (Guernsey) Law, 1950, a child of that husband’s family; and

(c) either—

- (i) that husband had before his death been contributing at not less than the prescribed weekly rate to the cost of providing for that child; or
- (ii) at the date of that husband's death, she was entitled under an order of court, trust or agreement which she has taken reasonable steps to enforce to receive whether from that husband or from another person payments in respect of that child at not less than that weekly rate provided or procured by that husband:

Provided that the allowance shall not be payable for any period after her remarriage or for any period during which she is cohabiting with a man as his wife.

*Death grant*

Death  
grant.

20B. (1) Subject to the provisions of this Law, a death grant of the amount specified in relation thereto in the Eighth Schedule to this Law shall be payable in respect of the death of any person (hereafter in this section referred to as "the deceased") if the deceased either himself satisfied the contribution conditions set out in paragraph 5 (1) of the Third Schedule to this Law, or was at death the husband, wife, widower, widow, or child of the

family, of a person satisfying those conditions, or a child who—

- (a) had immediately before the death of some other person satisfying those conditions, been a child of the family of that other person; or
- (b) was a posthumous son or daughter of a man satisfying those conditions.

(2) With respect to cases where the deceased was at death a child but the requirements of the foregoing subsection are not satisfied, regulations may provide for death grant to be payable if the contribution conditions aforesaid were satisfied by such other person as may be prescribed.

(3) Except where regulations otherwise provide, a death grant shall not be payable in respect of a death occurring outside Guernsey.

(4) A death grant shall not be payable in respect of—

- (a) the death of any person who attained pensionable age before the relevant day; or
- (b) the death within a year from the relevant day of any other person.

(5) For the purpose of determining whether the contribution conditions set out in paragraph 5 (1) of the Third Schedule to this Law are satisfied, no account shall be taken of contributions

paid or credited in respect of weeks before the relevant day:

Provided that this paragraph shall not apply to any contributions credited by virtue of any regulations made under sub-paragraph (iii) of paragraph (b) of subsection (1) of section five of this Law.

*Travelling allowance grant*

Travelling  
allowance  
grant.

20C. (1) Subject to the provisions of this Law, a travelling allowance grant (hereafter in this section referred to as "a grant") shall be awarded to, or in respect of, any person (hereafter in this section referred to as "the patient") if the patient—

- (a) is an insured person at the relevant time or is a child of such a person, and
- (b) a medical practitioner has recommended that it is necessary to enable the patient to receive medical treatment which is not available in Guernsey or in Alderney, as the case may be, that the patient be transported—
  - (i) from Guernsey or Alderney to one of the following countries, that is to say, the United Kingdom, Jersey or any other country with the Government of which a reciprocal agreement has been entered into under section sixty-eight of this Law, or

- (ii) from Alderney to Guernsey;  
and
- (c) the journey has been approved by or on behalf of the Authority in its absolute discretion.

(2) The amount of a grant shall be such sum as is equal to the cost of transporting the patient to and from Guernsey or Alderney, as the case may be, and for this purpose the cost of transporting the patient shall be deemed to include such of the following expenses, or part thereof, as may be approved by or on behalf of the Authority in its absolute discretion:—

- (a) the travelling expenses of a medical or nursing escort, or more than one such escort, where a medical practitioner has advised that such escort or escorts is, or are, necessary having regard to the patient's condition;
- (b) where the patient has not attained the age of sixteen years, the travelling expenses of—
  - (i) one parent of the patient;  
or
  - (ii) such other person as may be considered by the Authority to be a suitable person to accompany the patient;
- (c) the expenses incurred in bringing back to Guernsey or Alderney, as the case may be, the body of a patient who died:—

- (i) whilst being transported for the purpose of receiving medical treatment; or
  - (ii) whilst undergoing medical treatment; or
  - (iii) after receiving medical treatment and before returning to Guernsey or Alderney, as the case may be;
- (d) any incidental and associated expenses (other than professional fees) incurred in connection with the transportation of a patient from Guernsey or Alderney, as the case may be, and his return thereto, including any such expenses incurred—
- (i) by any person under paragraph (a) or (b) of this subsection, or
  - (ii) in the return to Guernsey or Alderney, as the case may be, of the body of a patient who died in one of the circumstances set out in the preceding paragraph.

(3) In this section, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“child” means a person who, not being an insured person, is a child of an insured person;

“medical treatment” shall include a medical examination or a surgical operation;

“medical or nursing escort” means:—

- (i) a medical practitioner,
- (ii) a nurse, or
- (iii) a member of the St. John Ambulance Brigade;

“relevant time” shall mean the day on which the outward journey from Guernsey or Alderney, as the case may be, commenced.

(4) Any recommendation by a medical practitioner in accordance with the provisions of subsection (1) of this section shall be treated as a claim for a grant by the patient to whom the recommendation relates.

(5) Before deciding any question as to whether a patient is entitled to a grant, the Administrator, in his absolute discretion, may make a provisional decision that the patient is so entitled.

(6) Where the Administrator makes a provisional decision as aforesaid he shall issue a final decision in relation to the question to which the provisional decision relates on or before the expiration of the six weeks commencing on the day next following the day on which that provisional decision was made.

(7) When the Administrator makes a final decision that a patient is not entitled to a grant the sum of any payments made to, or made or to be made in respect of, that patient in accordance with the provisions of subsection (2) of this section shall be recoverable by the Authority as a civil debt from:—

- (a) the patient; or
- (b) the husband or wife of the patient; or
- (c) the parent or parents of the patient if the patient be a minor.

(8) Regulations may provide for excluding certain classes of persons from the expression “insured person” for the purposes of this section.”.

13. Section twenty-one of the principal Law (which provides for increase of benefit for children) is hereby amended as follows:—

Amend-  
ments of  
section  
twenty-one  
of the  
principal  
Law.

- (a) in subsection (1) thereof—
  - (i) the word and figure “subsection (5)” are hereby repealed and the words and figures “subsections (5) and (7)” are hereby substituted therefor,
  - (ii) the words “a retirement pension” where those words firstly occur are hereby repealed and the words “an old age pension” are hereby substituted therefor;
- (b) in paragraph (a) of subsection (1) thereof the words “a retirement pension” are hereby repealed and the words and comma

“ a maternity allowance, an old age pension ” are hereby substituted therefor;

- (c) subsection (3) thereof is hereby repealed and the following subsection is hereby substituted therefor—

“ (3) In the case of an old age pension—

(a) where a man and his wife are both entitled to a pension by virtue of his insurance—

(i) they shall not both be entitled for the same period to an increase under this section in respect of the same child;

(ii) if they would both (but for this provision) be entitled for the same period to an increase under this section at the rate applicable to an only, elder or eldest child in respect of different children, one of them shall be entitled to an increase at that rate and the other (subject to sub-paragraph (i) hereof) to an increase at the rate applicable to a child other than an only, elder or eldest child;

(b) for any reference in subsection (2) of this section to the day for which benefit is claimed there shall be substituted a reference to the date on which the person becomes entitled to an old age pension.”;

(d) in subsection (4) thereof the word and letter “paragraph (b)” and the words “a retirement pension” are hereby repealed and the word and letter “paragraph (a)” and the words “an old age pension” are hereby respectively substituted therefor;

(e) in subsection (5) thereof, paragraphs (a) and (b) are hereby repealed and the following paragraphs lettered “(a), (b) and (c)” are hereby substituted therefor—

“ (a) under section eighteen of this Law by way of guardian’s allowance;

(b) under section twenty A of this Law by way of child’s special allowance; or

(c) under this section;”;

(f) immediately after subsection (5) thereof there are hereby inserted the following additional subsections numbered “(6), (7), (8) and (9)”—

“ (6) In the application of subsection (1) of this section to a maternity allowance, references therein to a child or children shall include references to any child or children born to the beneficiary on the occasion of the confinement by reason of whose actual or expected occurrence she became entitled to the allowance.

(7) Regulations may provide that subsection (1) of this section shall cease to apply to a maternity allowance or shall apply to such an allowance only in prescribed cases.

(8) Subject to the foregoing provisions of this section, the weekly rate of a child’s

special allowance shall, for any period for which the beneficiary has a family which includes two or more children with respect to whom the conditions specified in paragraphs (b) and (c) of section twenty A of this Law are satisfied, be increased in respect of each respectively of those children other than the elder or eldest by the amount specified in relation to that allowance in the fourth column of the Second Schedule to this Law.

(9) For the purposes of subsection (5) this section, a child's special allowance shall be treated as a payment in respect of an only, or the elder or eldest child with respect to whom the conditions specified in paragraphs (b) and (c) of section twenty A of this Law are satisfied, without prejudice, however, to any payment by way of an increase of the allowance in respect of any other such child under the preceding subsection."

Amend-  
ments of  
section  
twenty-two  
of the  
principal  
Law.

14. Section twenty-two of the principal Law (which relates to increase of benefit for adult dependants) is hereby amended as follows—

- (a) in subsection (1) thereof—
  - (i) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor, and
  - (ii) the words "who is not engaged in any gainful occupation or occupations from which her weekly earnings exceed that amount" are hereby repealed;
- (b) in subsection (3) thereof the words "a retirement pension" wherever those words occur

are hereby repealed and the words "an old age pension" are hereby substituted therefor;

- (c) subsection (4) thereof is hereby repealed;
- (d) immediately after subsection (3) thereof there are hereby inserted the following additional subsections numbered "(4), (5) and (6)" and subsection (5) thereof is hereby renumbered as subsection "(7)"—

" (4) Subject to subsection (5) of this section, the weekly rate of a maternity allowance shall be increased by the amount specified as aforesaid for any period such as is mentioned in paragraph (a), (b) or (c) of subsection (2) of this section, but a woman shall not be entitled for the same period to an increase of benefit by virtue of this subsection in respect of more than one person.

(5) The weekly rate of a maternity allowance shall not be increased under subsection (4) of this section in respect of any person for any such period as is mentioned in paragraphs (b) or (c) of subsection (2) of this section unless the beneficiary would, if she were entitled to sickness benefit for that period, be entitled for that period to an increase of sickness benefit in respect of that person if she had made the necessary claim; and for the purpose of the application of the provisions of this subsection, any such period shall be deemed not to include any day which under paragraph (d) of subsection (2) of section twelve of this Law is to be disregarded in computing a period of consecutive days for the

purposes of any provisions of this Law relating to unemployment benefit or sickness benefit.

(6) Regulations may provide that the weekly rate of maternity allowance shall no longer be increased under subsection (4) of this section, or shall be so increased only in prescribed cases, and may vary or revoke the provisions of subsection (5) of this section.”.

Amendment  
of section  
twenty-  
three of the  
principal  
Law.

15. Section twenty-three of the principal Law (which prescribes the conditions under which benefit may be paid where the contribution conditions have been partially satisfied) is hereby repealed and the following section is hereby substituted therefor:—

“ 23. (1) Subject to the provisions of this section, regulations may provide for entitling to unemployment benefit, sickness benefit, a maternity allowance, widow’s benefit, an old age pension or a death grant persons who would be entitled thereto but for the fact—

- (a) in the case of benefit of any description other than maternity allowance, that the relevant contribution conditions are not satisfied as respects the number of contributions paid or credited in a contribution year or the yearly average of contributions paid or credited;
- (b) in the case of maternity allowance, that the relevant contribution conditions, though satisfied as respects the twenty-six contributions required to have been actually paid, are not satisfied as respects the fifty contributions required to have been paid by or credited to the claimant.

(2) The reference in paragraph (b) of subsection (1) of this section to the relevant contribution conditions includes a reference to those conditions as modified by regulations in their application to cases falling within subsection (6) of section fifteen B of this Law.

(3) Regulations under this section shall provide that benefit payable by virtue of any such regulations shall be payable at a rate, or shall be of an amount, less than that specified in the Second Schedule or the Eighth Schedule to this Law, and the rate or amount prescribed by the regulations may vary with the extent to which the contribution conditions are satisfied:

Provided that the amount of:—

- (a) any increase of benefit in respect of a child; and
- (b) any increase of an old age pension in respect of contributions paid after attaining pensionable age by a person who has elected under the provisions of subsection (2) of section nineteen of this Law to be treated as if he were not entitled to an old age pension;

shall be the same as if the relevant contribution conditions had been fully satisfied.

(4) Regulations under this section shall apply to child's special allowance in like manner as they apply to widow's benefit, except that the weekly rate of such an allowance payable by virtue of those regulations shall be the same as if the relevant contribution conditions had been fully satisfied."

Amend-  
ments of  
section  
twenty-four  
of the  
principal  
Law.

16. Section twenty-four of the principal Law (which relates to unemployment and sickness benefit for persons over pensionable age) is hereby repealed and the following section is hereby substituted therefor—

“Unemploy-  
ment and  
sickness  
benefit for  
persons over  
pensionable  
age.

24. (1) Subject to the succeeding provisions of this section, a person who is over pensionable age but is not entitled to an old age pension by reason of having elected to be treated as if he were not entitled thereto under the provisions of subsection (2) of section nineteen of this Law (which relates to old age pensions) shall be entitled to unemployment or sickness benefit in respect of any day for which he would be so entitled if for the conditions specified in paragraphs (a) and (b) of subsection (1) of section twelve of this Law (which relates to the right to unemployment and sickness benefit) there were substituted a condition that on the day for which benefit is claimed he would be entitled to an old age pension had he not elected as aforesaid.

(2) Where unemployment or sickness benefit is payable by virtue of this section—

- (a) the weekly rate thereof, apart from any increase by virtue of any provisions of this Law, shall be that at which, apart from any such increase, the said old age pension would have been payable;
- (b) paragraphs (a) and (b) of subsection (2) of section twenty-two

of this Law (which relates to increase of benefit for adult dependants) shall not apply in relation to unemployment or sickness benefit; and

- (c) if the beneficiary would have been entitled to the old age pension only by virtue of the last preceding section, that section shall have effect in relation to an increase of the weekly rate of unemployment or sickness benefit as if he were entitled to that benefit only by virtue of that section and as if the relevant contribution conditions for that benefit were those for the old age pension.

(3) Where the claimant or beneficiary is a woman and is or has been married, any reference in subsection (1) of this section to an old age pension shall be construed as referring only to an old age pension payable by virtue of her own insurance.

(4) Notwithstanding the foregoing provisions of this section, a person shall not be entitled to unemployment benefit or sickness benefit for any day if in the week preceding that day he was liable to pay a contribution as a non-employed person or would have been so liable had he not in respect of that week been entitled to have credited to him a contribution by virtue of any regulations made under paragraph (b)

of subsection (1) of section five of this Law.”.

Amendment  
of section  
thirty-seven  
of the  
principal  
Law.

17. In paragraph (a) of subsection (1) of section thirty-seven of the principal Law (which provides for the disqualification or suspension of benefit for absence abroad) the words “is not ordinarily resident in Guernsey” are hereby repealed and the words “is absent from Guernsey” are hereby substituted therefor.

Amendment  
of section  
forty-one  
of the  
principal  
Law.

18. Section forty-one of the principal Law (which relates to proceedings by employees for benefit lost by employer’s default) is hereby amended as follows:—

(a) in subsection (1) thereof the words “or sickness benefit” are hereby repealed and the words and commas “benefit, sickness benefit, or maternity benefit” are hereby substituted therefor;

(b) immediately after subsection (1) thereof there is hereby inserted the following additional subsection numbered “(1A)”—

“ (1A) Where the employed person is a man, his wife or widow shall have the same right to recover under the foregoing subsection in respect of maternity benefit lost by her as if the employer’s failure or neglect had been in respect of her.”;

(c) in subsection (3) thereof immediately after the words “employed person” there are hereby inserted the words and comma “or his wife or widow.”.

19. In subsection (3) of section forty-four of the principal Law (which relates to claims and notices) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor.

Amendment  
of section  
forty-four  
of the  
principal  
Law.

20. Immediately after subsection (11) of section forty-seven of the principal Law (which relates to the constitution of the Authority) there is hereby inserted the following additional subsection numbered "(12)"—

Amendment  
of section  
forty-seven  
of the  
principal  
Law.

" (12) Any functions conferred on the Authority by or under this Law may be exercised by the President or any other member of the Authority or by the Administrator if authorised in that behalf by the Authority."

21. Subsection (4) of section fifty-five of the principal Law (which relates to the administration of benefit) is hereby repealed and the following subsection is hereby substituted therefor—

Amendment  
of section  
fifty-five  
of the  
principal  
Law.

" (4) Regulations under paragraph (b) of subsection (3) of this section may make provision with respect to claims for, and the payment of, death grant as if it were a benefit due to the deceased at his death and as if the references in that paragraph to creditors included a reference to any person who gives an undertaking in writing to pay the whole or part of the deceased's funeral expenses; and for the purpose of the said paragraph (b) the expression "next of kin" shall be construed as referring to persons who would take personal estate beneficially on an intestacy."

Amendments of section sixty-five of the principal Law.

22. Section sixty-five of the principal Law (which relates to married women) is hereby amended as follows:—

- (a) paragraph (b) of subsection (1) thereof is hereby repealed;
- (b) paragraphs (c), (d) and (e) thereof are hereby re-lettered as paragraphs “(b), (c) and (d)” respectively;
- (c) subsection (3) thereof is hereby repealed and the following subsection is hereby substituted therefor:—

“ (3) Regulations under this section shall provide, subject to any prescribed conditions and exceptions, for excepting a woman, if she so elects or if she does not elect otherwise (as may be provided by the regulations) from liability to pay contributions under section two of this Law as an insured person for any period during which she is married.”.

Amendment of section sixty-seven of the principal Law.

23. The full stop at the end of paragraph (c) of section sixty-seven of the principal Law (which makes special provisions for persons under sixteen on the appointed day) is hereby repealed and a colon is hereby substituted therefor and immediately thereafter there is hereby inserted the following Proviso—

“ Provided that no account shall be taken of contributions in respect of weeks before the relevant day in respect of entitlement to death grant.”.

Amendment of section sixty-eight of the principal Law.

24. In paragraph (a) of subsection (1) of section sixty-eight of the principal Law (which relates to reciprocal agreements with H.M. dominions and foreign countries) the comma and word “, retirement” are hereby repealed.

25. The Proviso to paragraph (c) of subsection (3) of section seventy-two of the principal Law (which deals with the treatment of existing contributors and beneficiaries) is hereby repealed.

Amendment of section seventy-two of the principal Law.

26. Section seventy-six of the principal Law (which relates to transitional provisions for certain new entrants) is hereby amended as follows:—

Amendments of section seventy-six of the principal Law.

(a) in subsection (3) thereof the words “a retirement pension” where those words firstly occur are hereby repealed and the words “an old age pension” are hereby substituted therefor;

(b) paragraph (a) of subsection (3) thereof is hereby repealed and the following paragraph is hereby substituted therefor—

“(a) that for the purposes only of any old age pension payable by virtue of his insurance, any such person shall be deemed not to attain pensionable age until he attains an age which will enable him to qualify for the said minimum rate:

Provided that such a person shall not be able to elect to be treated as if he were not entitled to an old age pension under the provisions of subsection (2) of section nineteen of this Law (which relates to old age pensions).”;

(c) in paragraph (d) of subsection (3) thereof the words “a retirement pension” and “retirement pension” are hereby repealed and the words “an old age pension” and “old age pension” are hereby respectively substituted therefor.

Amend-  
ments of  
section  
seventy-nine  
of the  
principal  
Law.

27. Section seventy-nine of the principal Law (which relates to interpretation) is hereby amended as follows:—

- (a) immediately after the definition of the expression “benefit year” there is hereby inserted the following additional definition:—

“ “confinement” has the meaning assigned to it by subsection (1) of section fifteen C of this Law;”;

- (b) immediately after the definition of the expression “insured person” there is hereby inserted the following additional definition:—

“ “the Magistrate’s Court” means the Magistrate’s Court constituted under the provisions of the Magistrate’s Court (Guernsey) Law, 1954;”;

- (c) immediately after the definition of the expression “relevant contribution conditions” there is hereby inserted the following additional definition:—

“ “relevant day” means the day appointed for the coming into force of the Social Insurance (Amendment) (Guernsey) Law, 1971;”.

New First  
Schedule  
to the  
principal  
Law.

28. The First Schedule to the principal Law is hereby repealed and the Schedule set out in the First Schedule to this Law is hereby substituted therefor.

New Second  
Schedule  
to the  
principal  
Law.

29. The Second Schedule to the principal Law is hereby repealed and the Schedule set out in the Second Schedule to this Law is hereby substituted therefor.

30. The Third Schedule to the principal Law (which deals with contribution conditions) is hereby repealed and the Schedule set out in the Third Schedule to this Law is hereby substituted therefor.

New Third Schedule to the principal Law.

31. Immediately after the Seventh Schedule to the principal Law there is hereby inserted the Schedule set out in the Fourth Schedule to this Law.

Eighth Schedule to the principal Law.

32. The enactments set out in the first column of the Fifth Schedule to this Law are hereby repealed to the extent set out in the second column of that Schedule.

Repeals.

33. (1) The provisions of the principal Law shall, in relation to—

Transitional provisions.

- (a) widows (hereinafter referred to as “existing widows”) whose husbands died before the relevant day;
- (b) persons (hereinafter referred to as “existing retirement pensioners”) to or in respect of whom immediately before the relevant day a retirement pension was, or would have been but for any disqualification, forfeiture or provision of the principal Law relating to earnings, payable under or by virtue of that Law; and
- (c) persons who had attained pensionable age before the relevant day and who would have been entitled to a retirement pension had they then retired or had been deemed to have been retired from regular employment;

have effect and shall be deemed from the seventh day of September, nineteen hundred and seventy, always to have had effect as if section two of the Social Insurance (Amendment) (Guernsey) Law,

1967, had not been passed and shall so have effect with such modifications, exceptions and adaptations as may be prescribed.

(2) Regulations under the last foregoing subsection shall in particular provide:—

- (a) as respects existing widows, for modifying the period during which widow's allowance is payable under the principal Law;
- (b) as respects existing retirement pensioners, for substituting for any right to a retirement pension a right to an old age pension.

Interpretation.

34. (1) In this Law, unless the context otherwise requires, the expression "the relevant day" means the day appointed for the coming into force of this Law.

(2) Except where the context otherwise requires, any reference in this Law to any other enactment shall be construed as a reference to that enactment as repealed, replaced, amended, extended or applied by or under any other enactment including this Law.

Citation and collective title.

35. This Law may be cited as the Social Insurance (Amendment) (Guernsey) Law, 1971, and this Law and the Social Insurance (Guernsey) Laws, 1964 to 1967, may be cited together as the Social Insurance (Guernsey) Laws, 1964 to 1971.

Commencement.

36. This Law shall come into force on such day as shall be appointed in that behalf by Ordinance of the States of Guernsey.

## SCHEDULES

FIRST SCHEDULE Section twenty-eight

“

FIRST SCHEDULE Section two  
CONTRIBUTION RATESPART I  
EMPLOYED PERSONS

Description of employed person	Weekly rate of contribution
Men between the ages of 18 and 65 and men between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under subsection (2) of section nineteen of this Law.	51p
Women between the ages of 18 and 65 and women between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under subsection (2) of section nineteen of this Law.	40p
Boys under the age of 18.	30p
Girls under the age of 18.	24p

PART II  
EMPLOYERS

Description of employed person	Weekly rate of contribution
Men over the age of 18 whether or not they are liable to pay a contribution as an employed person.	50p
Women over the age of 18 whether or not they are liable to pay a contribution as an employed person.	39p
Boys under the age of 18.	28p
Girls under the age of 18.	22p

For the purposes of this Part of this Schedule a person over pensionable age, not being an insured person, shall be treated as an employed person if he would be an insured person were he under pensionable age and would be an employed person were he an insured person.

PART III  
SELF-EMPLOYED PERSONS

Description of self-employed person	Weekly rate of contribution
Men between the ages of 18 and 65 and men between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under subsection (2) of section nineteen of this Law.	96p
Women between the ages of 18 and 65 and women between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under subsection (2) of section nineteen of this Law.	74p
Boys under the age of 18.	55p
Girls under the age of 18.	43p

PART IV  
NON-EMPLOYED PERSONS

Description of non-employed person	Weekly rate of contribution
Men between the ages of 18 and 65 and men between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under sub-section (2) of section nineteen of this Law.	76p
Women between the ages of 18 and 65 and women between the ages of 65 and 70 who are not entitled to an old age pension by virtue of having elected to be treated as if they were not so entitled under subsection (2) of section nineteen of this Law.	57p
Boys under the age of 18.	44p
Girls under the age of 18.	33p

PART V  
STATES SUPPLEMENT

Description of persons by or in respect of whom contribution is paid	Amount of Supplement		
	For contribution as employed person	For contribution as self-employed person	For contribution as non-employed person
Men over the age of 18.	5p	5p	4p
Women over the age of 18.	3p	3p	3p
Boys under the age of 18.	3p	3p	2p
Girls under the age of 18.	2p	2p	1p

SECOND SCHEDULE      Section  
twenty-nine

SECOND SCHEDULE      Sections  
eleven, twenty-one,  
and twenty-two

RATE OR AMOUNT OF BENEFIT

Description of benefit	Weekly rate	Increase for only child or elder or eldest child (where payable)	Increase for each additional child (where payable)	Increase for adult dependant (where payable)
1. Unemployment benefit and sickness benefit—				
(a) in the case of a person over the age of 18—	£4.00	£1.10	£0.75	£2.50
(b) in the case of a person under the age of 18—				
(i) during any period during which that person is entitled to an increase of benefit in respect of a child or adult dependant	£4.00	£1.10	£0.75	£2.50
(ii) during any other period.	£2.25	—	—	—

Description of benefit	Weekly rate	Increase for only child or elder or eldest child (where payable)	Increase for each additional child (where payable)	Increase for adult dependant (where payable)
2. Widow's allowance.	£5.60	£2.00	£1.60	—
3. Widowed mother's allowance—				
(a) where payable by virtue of section 16(1)(b)(i) of this Law	£4.00	£2.00	£1.60	—
(b) in any other case.	£4.00	—	—	—
4. Widow's pension.	£4.00	—	—	—
5. Guardian's allowance.	£2.00	—	—	—
6. Old age pension—				
(a) where the pension is payable to a woman by virtue of her husband's insurance and he is alive	£2.50	£1.10	£0.75	—
(b) in any other case.	£4.00	£1.10	£0.75	£2.50
7. Maternity allowance.	£4.00	£1.10	£0.75	£2.50
8. Child's special allowance.	£2.00	—	£1.60	—

## THIRD SCHEDULE Section thirty

## THIRD SCHEDULE Section eleven

## CONTRIBUTION CONDITIONS

*Unemployment and sickness benefit*

1. The contribution conditions for unemployment benefit or for sickness benefit are that—

- (a) not less than twenty-six contributions of the appropriate class have been paid by the claimant in respect of the period between his entry into insurance and the day for which the benefit is claimed; and
- (b) not less than fifty contributions of the appropriate class or their equivalent have been paid by or credited to him in respect of the last complete contribution year before the beginning of the benefit year which includes the day for which the benefit is claimed.

*Maternity grant*

2. (1) The contribution conditions for a maternity grant are that—

- (a) not less than twenty-six contributions of the appropriate class have been paid by the relevant person in respect of the period beginning with that person's entry into insurance and ending immediately before the relevant time; and
- (b) not less than twenty-six such contributions have been paid by, or credited to, that person in respect of the last complete contribution year before the beginning of the benefit year comprising the relevant time.

(2) For the purpose of this paragraph no account shall be taken of any contributions paid by, or credited to, the relevant person for any period before the relevant day other than any contribution credits which may have been awarded by virtue of regulations made under sub-paragraph (ii) or sub-paragraph (iii) of paragraph (b) of subsection (1) of section five of this Law.

(3) In this paragraph—

- (a) the expression “relevant person” means the person by whom the conditions are to be satisfied;
- (b) the expression “relevant time” means the date of the confinement, or, where the relevant person is the husband and he was dead or over pensionable age on that date, the date of his attaining pensionable age or dying under that age;
- (c) references to a contribution year and to a benefit year are references to periods which are respectively a contribution year and a benefit year in relation to the relevant person.

#### *Maternity allowance*

3. (1) The contribution conditions for a maternity allowance are that—

- (a) not less than fifty contributions of the appropriate class or their equivalent have been paid by, or credited to, the claimant in respect of the fifty-two weeks immediately preceding the thirteenth week before the expected week of confinement (as defined for the purposes of section fifteen B of this Law); and

- (b) of those contributions not less than twenty-six are contributions of the appropriate class actually paid.
- (2) For the purposes of this paragraph—
  - (a) no account shall be taken of any contributions paid by, or credited to, the claimant for any period before the relevant day;
  - (b) a woman shall not be credited with contributions by virtue of regulations made under section sixty-five of this Law.

*Widow's benefit, old age pension and child's special allowance*

- 4. (1) The contribution conditions for widow's benefit, an old age pension or a child's special allowance are that—
  - (a) not less than one hundred and fifty-six contributions of the appropriate class have been paid by the relevant person in respect of the period between that person's entry into insurance and the relevant time; and
  - (b) the yearly average of the contributions paid by, or credited to, that person (ascertained as at the relevant time) is not less than fifty.
- (2) In this paragraph—
  - (a) the expression "relevant person" means the person by whom the conditions are to be satisfied;
  - (b) the expression "relevant time" means the date of the relevant person attaining pensionable age or dying under that age.

*Death grant*

5. (1) The contribution conditions for death grant are that—

- (a) not less than twenty-six contributions of the appropriate class have been paid by, or credited to, the relevant person in respect of the period between the relevant day and the relevant time; and
- (b) either—
  - (i) not less than forty-five such contributions have been paid by, or credited to, that person in respect of the last complete contribution year before the relevant time; or
  - (ii) the yearly average of the contributions paid by, or credited to, that person (ascertained as at the relevant time) is not less than forty-five.

(2) For the purpose of this paragraph no account shall be taken of any contributions paid by, or credited to, the relevant person for any period before the relevant day other than any contribution credits which may have been awarded by virtue of regulations made under sub-paragraph (ii) or sub-paragraph (iii) of paragraph (b) of subsection (1) of section five of this Law.

(3) In this paragraph—

- (a) the expression “relevant person” means the person by whom the conditions are to be satisfied;
- (b) the expression “relevant time” means the date of the deceased’s death or, where immediately before that date the relevant person was dead or over pensionable age, the date of that person attaining pensionable age or dying under that age.

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## FOURTH SCHEDULE Section thirty-one

EIGHTH SCHEDULE Sections  
fifteen A and  
twenty B

## AMOUNTS OF GRANTS

Description of grant	Amount
1. Maternity grant.	£22.00
2. Death grant, where the person in respect of whose death the grant is paid was at his death:—	
(a) under the age of 3	£ 7.50
(b) between the ages of 3 and 6	£12.50
(c) between the ages of 6 and 18	£18.75
(d) over the age of 18.	£25.00

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## FIFTH SCHEDULE Section thirty-two

*Enactments repealed*

Enactments	Extent of repeal
The Social Insurance (Guernsey) Law, 1964.	Section three, section nine and section sixty-nine.
The Social Insurance (Amendment) (Guernsey) Law, 1965.	Paragraph (a) of section one.
The Social Insurance (Amendment) (Guernsey) Law, 1967.	Subsection (b), (c) and (d) of section one and section two.

R. H. VIDELO,  
Her Majesty's Greffier.