

ORDER IN COUNCIL

XIII
1995

ratifying a Projet de Loi

ENTITLED

The Social Insurance (Amendment) (No. 2) (Guernsey) Law, 1995

(Registered on the Records of the Island of Guernsey
on the 12th December, 1995.)



1995

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 12th day of December, 1995 before de Vic Graham Carey, Esquire, Deputy Bailiff; present:—Stanley Walter John Jehan, Leonard Arthur Moss, John Edward Morris, Charles Anthony Spensley, Kenneth John Rowe, Lawrence Oscar Ozanne, John Richard Rowe Henry, David Charles Lowe, Esquires, Mrs. Eileen May Glass, Laurence Lenfestey Guille, Derek Martin Le Page and Stephen Edward Francis Le Poidevin, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 23rd day of November, 1995, approving and ratifying a *Projet de Loi* entitled “The Social Insurance (Amendment) (No. 2) (Guernsey) Law, 1995” THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller thereon, ORDERED:—

1. That the said Order in Council be registered on the records of this Island, and
2. 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 Buckingham Palace

The 23rd day of November, 1995

PRESENT,

The Queen's Most Excellent Majesty in Council

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 7th day of November 1995 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 Resolution of the 29th day of June 1995, the States of Deliberation at a meeting held on the 27th day of September 1995 approved a Bill or “Projet de Loi” entitled “The Social Insurance (Amendment) (No. 2) (Guernsey) Law, 1995, 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 as 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) (No. 2) (Guernsey) Law, 1995”, 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, and 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.

N. H. Nicholls

PROJET DE LOI

ENTITLED

The Social Insurance (Amendment) (No.2) (Guernsey) Law, 1995.

THE STATES, in pursuance of their Resolution of the 29th day of June, 1995(a), 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.

Amendments to the Law of 1978.

1. (1) The Social Insurance (Guernsey) Law, 1978(b), as amended(c), is further amended in accordance with the following provisions of this section.

(2) In section 1(1)(b) the words "and under pensionable age" are repealed.

(3) Section 5(5) is repealed.

(4) In section 10(1) the words "or Class 3" are repealed.

(5) In section 38(1) for the words "shall be entitled" substitute "shall, subject to such conditions (if any) as may be prescribed, be entitled".

(6) After section 38(3) insert the following subsection-

"(4) An insured person shall not be entitled to limited medical benefit in respect of any personal injury caused by accident occurring on or after such date as may be prescribed."

(a) Billet d'Etat No. XIII of 1995.

(b) Ordres en Conseil Vol. XXVI, p. 292.

(c) Ordres en Conseil Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; No. V of 1990; No. XII of 1993; No. V of 1994; No. VI of 1995; Ordinance No. XIV of 1993.

- (7) In section 97(3) for the word "shall" substitute "may".
- (8) In section 101-
- (a) in paragraph (a)-
- (i) after subparagraph (iii) insert the following subparagraph-
- "(iv) the aggregate amount of Class 3 contributions paid or payable in respect of that year;"
- (ii) after the words "for the purposes of subparagraph (i)" insert "and subparagraph (iv)";
- (iii) after the words "Class 1 primary and secondary" insert "and Class 3";
- (iv) after the words "different classes of employed" insert "and non-employed";
- (b) paragraph (b) is repealed.

Citation.

2. This Law may be cited as the Social Insurance (Amendment) (No. 2) (Guernsey) Law, 1995.