

ORDER IN COUNCIL

IX
2001

ratifying a Projet de Loi

ENTITLED

The Social Insurance (Guernsey) (Amendment) Law, 2001

(Registered on the Records of the Island of Guernsey
on the 19th June, 2001.)



2001

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 19th day of June, 2001 before Andrew Christopher King Day, Esquire, Deputy Bailiff; present:— David Charles Lowe, Esquire, Mrs. Eileen May Glass, Laurence Lenfestey Guille, Derek Martin Le Page, Stephen Edward Francis Le Poidevin, Alan Cecil Bisson, David Michael Jory, Keith Bichard, OBE, Esquires, The Reverend Peter Gerald Lane, Michael John Wilson, Michael Henry De La Mare, and Michael John Tanguy, Esquires, Jurats.

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 9th day of June, 2001, approving and ratifying a Projet de Loi entitled “The Social Insurance (Guernsey) (Amendment) Law, 2001”, 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 9th day of June, 2001

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 23rd day of May 2001 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 28th day of September 2000, the States of Deliberation at a meeting held on the 28th day of March 2001 approved a Bill or “Projet de Loi” entitled “The Social Insurance (Guernsey) (Amendment) Law, 2001”, 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 (Guernsey) (Amendment) Law, 2001”, 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.

A. K. Galloway

PROJET DE LOI

ENTITLED

The Social Insurance (Guernsey) (Amendment) Law, 2001

THE STATES, in pursuance of their Resolution of the 28th September, 2000^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.

Amendment of Law of 1978.

1. (1) Subject to section 2, sections 34, 35 and 50 of the Social Insurance (Guernsey) Law, 1978, as amended^b (in this section referred to as "**the Law**") are repealed.

(2) For sections 8(4) and 8(5) of the Law there is substituted the following -

" (4) Regulations may provide that a non-employed person of such description as may be prescribed who has been excepted by regulations from liability to pay a Class 3 contribution shall be entitled, subject to such conditions as may be prescribed, for any week

^a Resolution 11 on Article XVII of Billet d'État XX of 2000.

^b Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59 and 192; No. XII of 1993; Ordinance No. XIV of 1993 (Tome XXVI, p. 177); No. V of 1994; No's. VI and XIII of 1995; No. I of 1998; No. VI of 1999; and No. X of 2000.

in respect of which that exception is in force to pay a Class 3 contribution at a rate equal to one fifty-second of the product of the Class 3 rate and such lower income limit as the States shall from time to time by Ordinance determine (hereinafter called a "minimum Class 3 contribution").

(5) Where, in respect of any week, a person who is normally in employed contributor's employment is non-employed and satisfies such additional conditions as may be prescribed by regulations, he shall be liable to pay a Class 3 contribution in respect of that week at such percentage rate of the minimum Class 3 contribution as the States shall from time to time by Ordinance determine."

(3) Section 9 of the Law is repealed.

Savings for benefits payable on or before 31 December 2001.

2. Sections 34, 35 and 50 shall continue to have effect in relation to any person who -

- (a) on 31st December 2001 is in receipt of benefit by virtue of one or more of those sections; or
- (b) would have been entitled to benefit, by virtue of those sections, in respect of a period commencing before 31st December 2001.

Interpretation.

3. In this Law, "benefit" and "claim" have the same meaning as in the Social Insurance (Guernsey) Law, 1978.

Citation.

4. This Law may be cited as the Social Insurance (Guernsey) (Amendment) Law, 2001.

Commencement.

5. This Law shall come into force as follows -

- (a) sections 1(1), 1(3), 2 and 3 of this Law shall come into operation on 1 January 2002; and
- (b) the remainder of this Law shall come into force on the day of its registration on the records of the Island of Guernsey.