

Island of  Guernsey

Ordinance of the States **XXII**

1970

Made 29th April, 1970.
Deemed to have come into
Operation 25th September, 1969.

**The Social Insurance (Reciprocal
Agreement with the United States of
America) (Guernsey) Ordinance, 1970**

THE STATES, in exercise of the powers conferred upon them by section sixty-eight of the Social Insurance (Guernsey) Law, 1964, as amended^(a), and of all other powers enabling them in that behalf, hereby order:—

1. The provisions contained in the Exchange of Notes concerning the Reciprocal Payment of Social Security Pensions set out in the Schedule to this Ordinance (which extends to the Islands of Guernsey, Alderney, Herm and Jethou) shall have full force and effect, and the Social Insurance (Guernsey) Law, 1964, as amended, shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the provisions contained in the said Exchange of Notes.

Modification
of Law.

(a) Ordres en Conseil Vol. XIX, p. 286; Vol. XX, p. 126 No. VII of 1967.

Citation,
extent and
commence-
ment.

2. (1) This Ordinance may be cited as the Social Insurance (Reciprocal Agreement with the United States of America) (Guernsey) Ordinance, 1970.

(2) This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

(3) This Ordinance shall be deemed to have come into force on the twenty-fifth day of September, nineteen hundred and sixty-nine.

SCHEDULE

**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND AND THE GOVERNMENT OF THE
UNITED STATES OF AMERICA CONCERNING
THE RECIPROCAL PAYMENT OF SOCIAL
SECURITY PENSIONS**

No. 1

*The Ambassador of the United States of America
to the Secretary of State for Foreign and
Commonwealth Affairs*

*Embassy of the
United States of America,
London.*

No. 21

Excellency:

23 September, 1969

I have the honor to refer to the conversations which have taken place between the representatives of the United States Social Security Administration and of the United Kingdom Department of Health and Social Security about the provisions of the United States Social Security Act which concern the payment of benefits to persons who are outside the United States and who are not citizens of the United States and about those provisions of the United Kingdom National Insurance Acts which concern the payment of pensions to persons who are outside the United Kingdom and who are not ordinarily resident there. On the basis of those conversations, I am to say that, if the Government of the United Kingdom of Great Britain and Northern Ireland will undertake

- (a) that any increase of pension rates which may be awarded in the future under the United Kingdom Acts to pensioners who

are in the United Kingdom shall apply also to anyone who is ordinarily resident in the United States and has qualified for a pension under those acts other than by virtue of a reciprocal agreement concluded by the United Kingdom with a third country;

- (b) that any pension payable under the United Kingdom Acts to a citizen of the United States who is ordinarily resident in a country with which the United Kingdom has concluded an agreement on social security shall not be paid at a rate lower than the rate at which it would have been paid if he or she had been a citizen of the United Kingdom and Colonies;
- (c) that the foregoing provision (b) shall have effect from 1st January 1957 and that arrears of benefits shall be paid accordingly;
- (d) that for the purpose of the foregoing provisions (a), (b), and (c), the expression "United Kingdom Acts" means the National Insurance Acts of Great Britain, Northern Ireland, and the Isle of Man, the Insular Insurance Laws of Jersey, and the Social Insurance Laws of Guernsey, including regulations and orders made under those acts and laws; and the word "pension" means a retirement pension, old age pension, or widow's benefit payable under those acts and laws;

then the Government of the United States will agree that the United Kingdom has a social insurance system which complies with the conditions set out in Section 202 (t) (2) of the United States Social Security Act, and that, in consequence, the limitations imposed by Section 202 (t) (1) of that Act in the payment of benefits to persons who are not citizens

of the United States do not apply to citizens of the United Kingdom and Colonies.

If these proposals are acceptable to the Government of the United Kingdom, this note and your reply concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

WALTER ANNENBERG

No. 2

The Secretary of State for Foreign and Commonwealth Affairs to the Ambassador of the United States of America

*Foreign and Commonwealth Office,
London, S.W.1.*

25 September, 1969.

Your Excellency,

I have the honour to acknowledge receipt of your Note No. 21 of the 23rd September, 1969, which read as follows:

[As in No. 1]

I have the honour to inform Your Excellency that the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note together with this reply shall constitute an

agreement between the two Governments which shall enter into force on this day's date.

I have the honour to be,
with the highest consideration,

Your Excellency's obedient Servant,
(for the Secretary of State)

CHARLES WIGGIN

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