

GUERNSEY STATUTORY INSTRUMENT

1971 - No. 27

The Social Insurance (Pensions, Existing  
Beneficiaries and Other Persons) (Transitional)  
(Amendment) (Guernsey) Regulations, 1971.

Made 7th June, 1971

Laid before the States 1971

Coming into Operation 7th June, 1971

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by sections seventy-two and seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended, and of all other powers enabling it in that behalf, hereby orders:-

Amendments to regulation one of the principal regulations.

1. Paragraph (1) of regulation one of the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1970, (hereinafter referred to as "the principal regulations") is hereby amended as follows:-

(a) immediately after the definition of the expression "existing old age pensioner" there is hereby inserted the following additional definition -

" "existing old age pension" means an old age pension payable under or by virtue of the Contributory Pensions Laws;"

(b) immediately after the definition of the expression "the Law of 1947" there is hereby inserted the following additional definition -

" "old age pension" means an old age pension payable under or by virtue of the Law;"

Amendment to regulation three of the principal regulations.

2. In paragraph (2) of regulation three of the principal regulations, the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor.

Repeal of regulation four of the principal regulations.

3. Regulation four of the principal regulations is hereby repealed.

Amendments to regulation six of the principal regulations.

4. Regulation six of the principal regulations is hereby amended as follows:-

(a) in paragraph (1) thereof the words "Social Insurance (Widow's Benefit and Retirement Pensions) (Guernsey) Regulations, 1964," are hereby repealed and the words "Social Insurance (Widow's Benefit and Old Age Pensions)(Guernsey) Regulations, 1971" are hereby substituted therefor;

(b) in paragraph (4) thereof -

(i) the words "be deemed to have retired from regular employment" are hereby repealed,

(ii) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor;

(c) paragraph (5) thereof is hereby repealed and the following paragraph is hereby substituted therefor:-

"(5) An existing widow pensioner to whom the provisions of paragraph (1) of this regulation applies shall, if she ceases on or after the day on which she attains pensionable age to be entitled to a widowed mother's allowance, be deemed to satisfy the conditions contained in paragraph (4) of the Third Schedule to the Law: Provided that such a widow shall not be entitled to make an election under the provisions of subsection (2) of section nineteen of the Law (which relates to old age pensions).".

Amendments to regulation seven of the principal regulations.

5. Regulation seven of the principal regulations is hereby amended as follows:-

(a) in the heading thereto, the words "retirement pension" are hereby repealed and the words "old age pension" are hereby substituted therefor;

(b) in paragraph (1) thereof -

(i) the words "from that day" are hereby repealed,

(ii) the words " a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor;

(c) in sub-paragraph (a) of paragraph (2) thereof:-

(i) the words "as from that day" are hereby repealed;

(ii) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor;

(iii) the words "and thereafter she shall be deemed to have retired" are hereby repealed;

(d) in sub-paragraph (b) of paragraph (2) thereof, the words "as from that day" are hereby repealed;

(e) paragraph (3) thereof is hereby repealed and the following paragraph is hereby substituted therefor:-

" (3) Subject as aforesaid, the widow's basic pension of a widow to whom sub-paragraph (b) of the last preceding paragraph applies shall cease to be payable:-

(a) when she attains pensionable age if she satisfies the following conditions, that is to say:-

(i) on or before the appointed day she had attained the age of fifty years, and

(ii) immediately before the appointed day she was ordinarily resident in Guernsey, and

(iii) that at her husband's death both he and she had been married for not less than three years,

in which event she shall be entitled to an old age pension of four pounds; or

(b) in any other case, when she attains the age of seventy years, in which event she shall receive a contributory old age pension of two pounds and five new pence.";

(f) in paragraph (4) thereof, the words "a retirement pension" where those words occur are hereby repealed and the words "an old age pension" are hereby substituted therefor;

(g) paragraph (5) thereof is hereby repealed and the following paragraph is hereby substituted therefor:-

"(5) Notwithstanding the provisions of sub-paragraph (a) of paragraph (3) of this regulation, a widow's basic pension shall continue to be payable to a widow to whom that sub-paragraph refers during the currency of an election made by that widow in accordance with the provisions of subsection (2) of section nineteen of the Law (which relates to old age pensions)".

Amendments to regulation nine of the principal regulations.

6. Regulation nine of the principal regulations is hereby amended as follows:-

(a) in sub-paragraph (d) of paragraph (2) thereof-

- (i) the word "and" where that word occurs at the end of item (ii) is hereby repealed,
- (ii) item (iii) is hereby repealed,
- (iii) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor;

(b) in paragraph (4) thereof -

- (i) the words "be deemed to have retired from regular employment on the day on which she attains that age and shall thenceforth" are hereby repealed,
- (ii) the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor,
- (iii) the following words are hereby added at the end of the paragraph "as from the day on which she attains that age.";

(c) in paragraph (5) thereof the words "to have retired from regular employment and" are hereby repealed;

(d) paragraph (7) thereof is hereby repealed;

- (e) in paragraph (8) thereof, the words "a retirement pension" are hereby repealed and the words "an old age pension" are hereby substituted therefor.

Amendments to regulation ten of the principal regulations.

7. Regulation ten of the principal regulations is hereby amended as follows:-

- (a) the heading thereto is hereby repealed and the following heading is hereby substituted therefor:-

"Conversion of existing old age pensions into old age pensions or contributory old age pensions.";

- (b) the words "a retirement pension" wherever those words occur are hereby repealed and the words "an old age pension" are hereby substituted therefor;
- (c) in paragraph (1) and paragraph (2) thereof, the words "as from that day" are hereby repealed wherever those words occur;
- (d) in paragraph (3) thereof, the words "who is not engaged in any gainful occupation from which her weekly earnings exceed two pounds ten shillings" are hereby repealed;
- (e) in paragraph (4) thereof, the commas and words ", on or after attaining pensionable age, she has retired from regular employment" are hereby repealed and the words "she attains pensionable age" are hereby substituted therefor;
- (f) in paragraph (5) thereof, the words "retirement pension" where those words occur are hereby repealed and the words "old age pension" are hereby substituted therefor;
- (g) in paragraph (7) thereof, the words "retirement pension" are hereby repealed and the words "old age pension" are hereby substituted therefor;
- (h) paragraph (8) thereof is hereby repealed and the following paragraph is hereby substituted therefor:-

"(8) A widow to whom the last preceding paragraph applies shall, on ceasing to be entitled to widow's benefit on or after attaining pensionable age, be deemed thereafter to be entitled to an old age pension at the same rate:

Provided that such a widow shall not be entitled to make an election under the provisions of subsection (2) of section nineteen of the Law (which relates to old age pensions).";

- (i) in paragraph (10) thereof, the words "retires from regular employment on or after attaining" are hereby repealed and the word "attains" is hereby substituted therefor;
- (j) in paragraph (11) thereof -
  - (i) the words "as from the appointed day" are hereby repealed,
  - (ii) the words "that day" are hereby repealed and the words "the appointed day" are hereby substituted therefor;
- (k) in paragraph (15) thereof -
  - (i) the words "old age pension" wherever those words occur are hereby repealed and the words "existing old age pension" are hereby substituted therefor,
  - (ii) in sub-paragraph (c) the words "retirement pension" are hereby repealed and the words "old age pension" are hereby substituted therefor.

Amendments to regulation eleven of the principal regulations.

8. Regulation eleven of the principal regulations is hereby amended as follows:-
- (a) the words "a retirement pension" wherever those words occur are hereby repealed and the words "an old age pension" are hereby substituted therefor;
  - (b) in paragraph (5) thereof -
    - (i) the words "the retirement pension" are hereby repealed and the words "the old age pension" are hereby substituted therefor,
    - (ii) the words "who is not engaged in any gainful occupation from which her weekly earnings exceed two pounds ten shillings." are hereby repealed;

- (c) in paragraph (6) thereof the commas and words ", on or after attaining pensionable age, she has retired from regular employment" are hereby repealed and the words "she attains pensionable age" are hereby substituted therefor;
- (d) in paragraphs (7), (8) and (9) thereof, the words "retirement pension" where those words occur are hereby repealed and the words "old age pension" are hereby substituted therefor;
- (e) paragraph (10) thereof is hereby repealed and the following paragraph is hereby substituted therefor:-

"(10) A widow to whom the last preceding paragraph applies shall, on ceasing to be entitled to widow's benefit on or after attaining pensionable age, be deemed to be entitled thereafter to an old age pension at the same rate:

Provided that such a widow shall not be entitled to make an election under the provisions of subsection (2) of section nineteen of the Law (which relates to old age pensions).";

- (f) in paragraph (12) thereof -
  - (i) the words "retires from regular employment on or after attaining" are hereby repealed and the word "attains" is hereby substituted therefor,
  - (ii) the words "retirement pension" in the proviso to the said paragraph are hereby repealed and the words "old age pension" are hereby substituted therefor;
- (g) in paragraph (15) of the said regulation -
  - (i) the words "old age pension" where those words occur are hereby repealed and the words "existing old age pension" are hereby substituted therefor,
  - (ii) the words "under the Contributory Pensions Laws" wherever those words occur are hereby repealed.

Amendments to regulation twenty of the principal regulations.

9. Regulation twenty of the principal regulations is hereby amended as follows:-

(a) in paragraph (1) thereof -

(i) in sub-paragraph (a) the words "relevant day" are hereby repealed and the words "day on which these regulations come into operation" are hereby substituted therefor,

(ii) the words "additional retirement pension" wherever those words occur are hereby repealed and the words "additional old age pension" are hereby substituted therefor;

(b) sub-paragraph (b) of paragraph (4) thereof is hereby repealed and the following sub-paragraph is hereby substituted therefor:-

"(b) to a woman who, immediately before the day on which these regulations come into operation, is entitled to a retirement pension by virtue of her own insurance or to a retirement pension by virtue of her husband's insurance, in relation to an old age pension by virtue of her husband's insurance, or to an old age pension by virtue of her own insurance, as the case may be, to which she thereafter becomes entitled.";

(c) in paragraph (5) thereof, the words "relevant day" are hereby repealed and the words "day on which these regulations come into operation" are hereby substituted therefor;

(d) in paragraph (6) thereof the words "additional retirement pension" are hereby repealed and the words "additional old age pension" are hereby substituted therefor.

Replacement of Schedules to the principal regulations.

10. The First, Second, Third, Fourth and Fifth Schedules to the principal regulations are hereby repealed and the Schedules set out in the Schedule to these regulations are hereby substituted therefor.

Citation and commencement.

11. (1) These regulations may be cited as the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Amendment) (Guernsey) Regulations, 1971, and these regulations and the principal regulations may be cited together as the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1970 and 1971.
- (2) These regulations shall come into operation on the seventh day of June, nineteen hundred and seventy-one.

Dated this seventh day of June, nineteen hundred and seventy-one.

E. H. BODMAN

President of the States Insurance Authority,  
for and on behalf of that Authority.

SCHEDULE

Regulation 10.

" FIRST SCHEDULE

PART I

Table showing rate of old age pension payable to a person to whom paragraph (1) of regulation ten of these regulations applies.

(1)	(2)
Rate of existing old age pension in payment immediately before the appointed day to an existing old age pensioner.	Rate of old age pension to be payable from the 7th June, 1971 in place of the existing old age pension specified in Column (1).
s. d.	
40. 0.	£4.00
36. 0.	£3.60
32. 0.	£3.20
28. 0.	£2.80
24. 0.	£2.40
21. 0.	£2.00
18. 0.	£1.65
16. 0.	£1.55
14. 6.	£1.35
12. 0.	£1.15

PART II

Table showing rate of old age pension payable to a person to whom paragraph (2) of regulation ten of these regulations applies.

(1)	(2)
Rate of existing old age pension in payment immediately before the appointed day to an existing old age pensioner.	Rate of old age pension to be payable from the 7th June, 1971 in place of the existing old age pension specified in Column (1).
s. d.	
25. 0.	£2.50
22. 6.	£2.25
20. 0.	£2.00
18. 0.	£1.75
17. 6.	£1.75
16. 0.	£1.60
15. 0.	£1.50
14. 6.	£1.40
12. 6.	£1.25
12. 0.	£1.15

PART III

Table showing rate of old age pension payable to a married woman to whom paragraph (4) of regulation ten of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (1) of regulation ten of these regulations.	Rate of old age pension payable to the wife of an insured person by virtue of his insurance.
£4.00	£2.50
£3.60	£2.25
£3.20	£2.00
£2.80	£1.75
£2.40	£1.50
£2.00	£1.25
£1.65	£1.65
£1.55	£1.55
£1.35	£1.35
£1.15	£1.15

PART IV

Table showing increase in the rate of an old age pension payable to a married man to whom paragraph (3) of regulation ten of these regulations applies.

(1)	(2)
Rate of old age pension payable to a married man by virtue of paragraph (1) of regulation ten of these regulations.	Amount by which the rate of old age pension specified in Column (1) is to be increased.
£4.00	£2.50
£3.60	£2.25
£3.20	£2.00
£2.80	£1.75
£2.40	£1.50
£2.00	£1.25
£1.65	£1.05
£1.55	£0.90
£1.35	£0.85
£1.15	£0.70

SECOND SCHEDULE

Tables showing rate of old age pension payable to a person to whom paragraph (2) of regulation eleven of these regulations applies.

Table 1

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (d) of Article 2 of the Law of 1947.	Rate of old age pension to be payable from the 7th June, 1971 in place of the existing old age pension specified in Column (1).
s. d.	
26. 0.	£4.00
23. 0.	£3.60
20. 0.	£3.20
18. 0.	£2.80
15. 0.	£2.40
13. 0.	£2.00

Table 2

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (a) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the 7th June, 1971, in place of the existing old age pension specified in Column (1).
s. d.	
18. 0.	£1.65
16. 0.	£1.55
14. 6.	£1.35
12. 0.	£1.15

Table 3

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (b) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension payable from the 7th June, 1971, in place of the existing old age pension specified in Column (1).
s. d.	
40. 0.	£4.00
36. 0.	£3.60
32. 0.	£3.20
28. 0.	£2.80
24. 0.	£2.40
21. 0.	£2.00

THIRD SCHEDULE

Tables showing rate of old age pension payable to a person to whom paragraph (3) of regulation eleven of these regulations applies.

Table 1

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (d) of Article 2 of the Law of 1947.	Rate of old age pension to be payable from the 7th June, 1971, in place of existing old age pension specified in Column (1).
s. d.	
16. 0.	£2.50
14. 0.	£2.25
12. 0.	£2.00
11. 0.	£1.75
9. 0.	£1.50
8. 0.	£1.25

Table 2

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (c) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the 7th June, 1971, in place of the existing old age pension specified in Column (1).
s. d.	
18. 0.	£1.65
16. 0.	£1.55
14. 6.	£1.35
12. 0.	£1.15

Table 3

(1)	(2)
Rate of existing old age pension which was last calculated under paragraph (b) of subsection (1) of section five of the Ordinance of 1962.	Rate of old age pension to be payable from the 7th June, 1971, in place of the existing old age pension specified in Column (1).
s. d.	
25. 0.	£2.50
22. 6.	£2.25
20. 0.	£2.00
17. 6.	£1.75
15. 0.	£1.50
12. 6.	£1.25

EXPLANATORY NOTE.

(This Note is not part of the Regulations but is intended to indicate their general purport).

These Regulations amend the Social Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) (Guernsey) Regulations, 1970, so as to take account of the substitution of old age pensions for retirement pensions.