

1968 No. 6

The Social Insurance (Pensions, Existing Contributors)  
(Transitional) (Guernsey) Regulations, 1968

Made	<i>12th February,</i>	1968
Laid before the States		1968
Coming into operation	<i>4th March,</i>	1968

THE STATES RESERVE AUTHORITY, in exercise of the powers conferred upon it by section seventy-two, section seventy-five and subsection (3) of section seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended, and of all other powers enabling it in that behalf, hereby orders:-

Amendment of regulation five of the principal regulations

1. Regulation five of the Social Insurance (Pensions, Existing Contributors) (Transitional) (Guernsey) Regulations, 1964 (hereinafter referred to as "the principal regulations") is hereby amended as follows, that is to say:-

- (a) in paragraph (6) thereof immediately after the word "are" there is hereby inserted the word "not";
- (b) paragraphs (7), (8) and (10) thereof are hereby repealed;
- (c) in paragraph (9) thereof the words "or elects to receive a widow's basic pension in pursuance of the provisions of paragraph (7) of this regulation" are hereby repealed;
- (d) paragraph (11) thereof, other than the Proviso thereto, is hereby repealed and the following paragraph is hereby substituted therefor -

"(11) A widow who, on attaining the age of seventy years, is in receipt of a widow's basic pension, shall have that pension converted into a contributory old age pension at the same rate:"

- (e) immediately after paragraph (11) thereof there is hereby inserted the following additional paragraphs numbered "(12)" and "(13)" -

"(12) Notwithstanding the provisions of the Law, the rate of widow's benefit or retirement pension to which a woman shall be entitled, being a widow to whom this regulation applies, shall in amount not be less than the rate of widow's basic pension appropriate to a woman of her age.

"(13) A widow who is entitled to a widow's pension or a retirement pension, being a widow to whom this regulation applies, shall not have that pension reduced by reason of the operation of paragraph (b) of subsection (4) of section sixteen of the Law (which relates to widow's benefit) or subsection (5) of section twenty thereof (which relates to special provisions as to women) to an amount which is less than the rate of widow's basic pension appropriate to a woman of her age."

Savings

2. Notwithstanding the provisions of these regulations -
  - (a) an election made in pursuance of the provisions of paragraph (7) of regulation five of the principal regulations shall remain effective until the widow who made such an election, by notice in writing to the Authority, cancels that election but such

notice shall be of no effect until the commencement of the day in the week next following the week in which the notice of such cancellation was received by the Authority, being the day on which, by virtue of the Social Insurance (Claims and Payments) (Guernsey) Regulations, 1964, widow's benefit is payable and the provisions of sub-paragraph (b) of paragraph (3) of regulation four of the Social Insurance (Widow's Benefit and Retirement Pensions) (Guernsey) Regulations, 1964, shall continue to apply to that widow accordingly; and

- (b) the provisions of paragraph (9) of the said regulation five shall continue to apply to a widow who, prior to the coming into operation of these regulations, had elected to receive a widow's basic pension in pursuance of the provisions of paragraph (7) of that regulation.

Citation and Commencement

3. (1) These regulations may be cited as the Social Insurance (Pensions, Existing Contributors) (Transitional) (Amendment) (Guernsey) Regulations, 1968, and these regulations and the principal regulations may be cited together as the Social Insurance (Pensions, Existing Contributors) (Transitional) (Amendment) (Guernsey) Regulations, 1964 and 1968.
- (2) These regulations shall come into operation on the fourth day of March, nineteen hundred and sixty-eight.

Dated this *twelfth* day of *February*, nineteen hundred and sixty-eight.

A. QUEVATRE

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

EXPLANATORY NOTE

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

The effect of regulation 1(e) of these regulations is to provide that the widow of an existing contributor (i.e., a woman who before the 4th January, 1965, was married to a man who was insured under the Contributory Pensions Laws immediately before their repeal) shall never receive a widow's pension or a retirement pension which, in amount, is less than that which she would have received by way of a widow's basic pension. That being so it is no longer necessary to give this class of widow the right to elect to take a widow's basic pension in place of a widow's pension or a retirement pension and, accordingly, the provisions relating to elections in regulation 5 of the principal regulations have been repealed (paragraphs (a), (b), (c) and (d) of regulation 1 of these regulations).

Regulation 2 preserves the acquired rights of the widow of an existing contributor which she has established prior to these regulations coming into operation.