

## STATUTORY INSTRUMENT

W.H.A.       L.C.S.       J.H.L.       J.C.S.       

1952 No. 173.

THE FAMILY ALLOWANCES (GUERNSEY) (JERSEY RECIPROCAL  
ARRANGEMENTS) REGULATIONS, 1952.

REP 37 1973/29

Made ... .. 28th November, 1952.  
 Coming into Operation ... 2nd December, 1952.  
 Laid before the States ...

The States Insurance Authority, in exercise of the powers conferred on it by the Family Allowances (Guernsey) Law, 1950, and of all other powers enabling it in that behalf, hereby makes the following regulations:-

1. - (1) These regulations may be cited as the Family Allowances (Guernsey) (Jersey Reciprocal Arrangements) Regulations, 1952, and shall come into force on the 2nd day of December, 1952.

(2) Words and expressions in these regulations shall have the same meaning as in the Memorandum of Reciprocal Arrangements set out in the Schedule hereto.

(3) The Interpretation (Guernsey) Law, 1948, applies to the interpretation of these regulations as it applies to the interpretation of an enactment.

2. The provisions contained in the Memorandum of Reciprocal Arrangements set out in the Schedule hereto shall have full force and effect so far as the same relate to Guernsey, and the Family Allowances (Guernsey) Laws, 1950 and 1951, shall have effect subject to such modifications and adaptations of the provisions thereof as may be requisite for giving effect to the provisions contained in the said Memorandum or in consequence thereof.

3. The States Insurance Authority may make such financial adjustments as it and the States of Jersey Insular Insurance Committee, with the consent of the States of Jersey, may agree to be necessary in consequence of the provisions contained in the said Memorandum.

Dated this 28th day of November, 1952.

WILFRED J. CORBET,

President,

States Insurance Authority  
 on behalf of that Authority.

## THE SCHEDULE..

MEMORANDUM OF RECIPROCAL ARRANGEMENTS relating to Family Allowances made between the Insular Insurance Committee, with the consent of the States of Jersey of the one part, and the States Insurance Authority, with the consent of the States of Guernsey, of the other part.

1. (1) In this memorandum, unless the context otherwise requires -

"island" means Jersey or Guernsey as the case may require;

"Guernsey" includes the islands of Alderney, Herm and Jethou;

"the Jersey Law" means the Family Allowances (Jersey) Law, 1951;

"the Guernsey Law" means the Family Allowances (Guernsey) Law, 1950;

"the Law" means, in the case of Jersey, the Jersey Law, and in the case of Guernsey, the Guernsey Law; and "the Laws" shall be construed accordingly;

"the Section" means, in the case of the Jersey Law, Article 21 of that Law, and, in the case of the Guernsey Law, section 22 of that Law, and "subsection" means a paragraph of the said Article 21 or a subsection of the said section 22 as the case may be;

"the Making of Claims and Payments Order" means the Family Allowances (Making of Claims and Payments) (Jersey) Order, 1952;

"the Making of Claims and Payments Regulations" means the Family Allowances (Guernsey) (Making of Claims and Payments) Regulations, 1950;

"the Qualifications Order" means the Family Allowances (Qualifications) (Jersey) Order, 1952;

"the Qualifications Regulations" means the Family Allowances (Guernsey) (Qualifications) Regulations, 1950;

"the appropriate authority" means, in the case of Jersey, the Insular Insurance Committee, and, in the case of Guernsey, in relation to claims, the Administrator, and in relation to other matters, the States Insurance Authority;

"the Administrator" means the person designated as such by the Guernsey Law.

(2) References in this Memorandum to any enactment, order or regulations shall include references to such enactment, order or regulations as amended by any subsequent enactment, order or regulations.

2. The arrangements set out in this Memorandum shall apply for the purposes of all or any of the provisions of the scheme of family allowances in force in Jersey or Guernsey, as the case may be, and shall have effect as from the 2nd. day of December, 1952.
3. Where in respect of either of the Laws the condition of the right to an allowance for a family which is specified in subsection (1) of the Section is satisfied, or would be satisfied if in that subsection and in Part II of, and in paragraphs 1 and 2 of the schedule to, the Qualifications Order or the Qualifications Regulations, as the case may be -

- (a) the words "Jersey or Guernsey" were substituted for the words "the Island" or "Guernsey", as the case may be, where they occur, either with reference to the place of birth of a British subject or in paragraph 1 of the schedule to the Qualifications Order or the Qualifications Regulations, as the case may be;
- (b) the words "and who immediately prior to becoming a member of the armed forces or of such nursing or other auxiliary service, as the case may be, was ordinarily resident in the Island", where they occur in paragraph 1 of the schedule to the Qualifications Order, were deleted;
- (c) the words "and who immediately prior to becoming a member of the armed Forces or of such nursing or other auxiliary service, as the case may be, was ordinarily resident in Guernsey", where they occur in paragraph 1 of the schedule to the Qualifications Regulations, were deleted; and
- (d) the words "the territory comprising Jersey and Guernsey" were substituted for the words "the Island" or "Guernsey" as the case may be, wherever they occur, except as provided in sub-paragraph (a) hereof;

the conditions specified not only in that subsection of that Law but also in the corresponding subsection of the other of the Laws shall be treated as satisfied in respect of that family.

4. Where in respect of either of the Laws the condition of the right to an allowance for a family which is specified in subsections (2) and (4) of the Section is satisfied, or would be satisfied if in those subsections and in Articles 7, 8 and 9 of, and the schedule to, the Qualifications Order and in regulations 7, 8 and 9 of, and in paragraphs 1 and 2 of the schedule to, the Qualifications Regulations, as the case may be -
- (a) the words "Jersey or Guernsey" were substituted for the words "the Island" or "Guernsey" where they occur in paragraph 1 of the schedule to the Qualifications Order or the Qualifications Regulations, as the case may be;
  - (b) the words "and who immediately prior to becoming a member of the armed forces or of such nursing or other auxiliary service, as the case may be, was ordinarily resident in the Island", where they occur in paragraph 1 of the schedule to the Qualifications Order, were deleted;
  - (c) the words "and who immediately prior to becoming a member of the armed Forces or of such nursing or other auxiliary service, as the case may be, was ordinarily resident in Guernsey", where they occur in paragraph 1 of the schedule to the Qualifications Regulations, were deleted; and

- (d) the words "the territory comprising Jersey and Guernsey" were substituted for the words "the Island" or "Guernsey", as the case may be, wherever they occur, except as provided in sub-paragraph (a) hereof;

the condition specified not only in those subsections of that Law but also in the corresponding subsections of the other of the Laws shall be treated as satisfied in respect of that family.

5. Where in respect of either of the Laws a child satisfies the condition specified in subsections (3) and (4) of the Section, or would satisfy that condition if in those subsections and in Articles 7 and 10 of the Qualifications Order and in regulations 7 and 10 of the Qualifications Regulations, as the case may be -

- (a) the words "Jersey or Guernsey" were substituted for the words "the Island" or "Guernsey", as the case may be, where they occur with reference to the place of birth of a child; and
- (b) the words "the territory comprising Jersey and Guernsey" were substituted for the words "the Island" or "Guernsey", as the case may be, wherever they occur, except as provided in sub-paragraph (a) hereof;

the child shall be treated as satisfying the condition specified not only in those subsections of that Law but also in the corresponding subsections of the other of the Laws.

6. Subject to the provisions of the scheme of family allowances in force in each island as modified by this Memorandum:-

- (1) a claim for an allowance shall be made to the appropriate authority for the island in which the person to whom the allowance belongs is present or, if that person is absent from Jersey and Guernsey, to the appropriate authority for the island in which his agent, appointed under Article 12 of the Making of Claims and Payments Order or under regulation 11 of the Making of Claims and Payments Regulations, is present;
- (2) an allowance payable by one island shall, whilst the person to whom the allowance belongs (or, where a direction has been made under paragraph (3) of Article 7 of the Jersey Law, or an order has been made under subsection (3) of section 4 of the Guernsey Law, the person by whom sums on account of the allowance are receivable) is present in the other island, become payable under the Law in force in such other island;

- (3) where the person to whom an allowance belongs (or, where a direction has been made under paragraph (3) of Article 7 of the Jersey Law, or an order has been made under subsection (3) of section 4 of the Guernsey Law, the person by whom sums on account of the allowance are receivable) is absent from Jersey and Guernsey, the allowance shall be payable by the appropriate authority for the island in which his agent, appointed under Article 12 of the Making of Claims and Payments Order or under regulation 11 of the Making of Claims and Payments Regulations, is present;
- (4) any qualification, disqualification or other provision which would, had an allowance become or continued to be payable under the Law in force in the one island, have been applicable thereto, shall be treated so far as may be appropriate, as if it were the corresponding qualification, disqualification or other provision applicable to the allowance under the Law in force in the other island;

Provided that, so long as the upper limit of the compulsory school age for the purpose of the Jersey Law and the upper age limit below which education is compulsory for the purpose of the Guernsey Law are not the same, a person shall be treated as subject to the upper age limit prescribed by the Law of the island in which an allowance for the family in which that person would be included if he or she were a child would be payable.

7. For the purpose of all or any of the provisions of the scheme of family allowances in force in Jersey or Guernsey, as the case may be, allowances paid in one island shall be treated as if they had been allowances paid in the other island.
8. Notwithstanding anything hereinbefore contained, where by reason of a child being treated as included in a family an allowance has been paid by one island for any period, no allowance shall (whether such payment was made directly under the Law in force in that island or under that Law by virtue of this Memorandum) be payable for that period by the other island by reason of the child being treated as included in that or any other family.
9. Either party to this Memorandum may terminate the arrangements herein contained on the giving of not less than three months previous notice in writing to the other party.

Signed on behalf of the Insular Insurance Committee  
this twenty-fourth day of November, 1952, and authorised  
by Act of the States dated the seventeenth day of October,  
1952.

P. LE FEUVRE,  
President,  
Insular Insurance Committee.

Signed on behalf of the States Insurance Authority  
this twenty-first day of November, 1952, and authorised  
by Resolution of the States dated the twenty-eighth day  
of March, 1951.

WILFRED J. CORBET,  
President,  
States Insurance Authority.