

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Alderney (Application of Legislation) (Health Service) (Benefit) Ordinance, 1990 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome XXV, p. 204; as amended by the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1995 (Recueil d'Ordonnances Tome XXVI, p. 489); the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) (No. 2) Ordinance, 1995 (Recueil d'Ordonnances Tome XXVI, p. 499); the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1996 (Recueil d'Ordonnances Tome XXVII, p. 9); the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1997 (Recueil d'Ordonnances Tome XXVIII, p. 11); the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 2002 (Recueil d'Ordonnances Tome XXIX, p. 211); the Machinery of Government (Transfer of Functions) Ordinance, 2020 (No. ** of 2020).

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OF THE STATES OF DELIBERATION**

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**The Alderney (Application of Legislation) (Health Service)
(Benefit) Ordinance, 1990**

ARRANGEMENT OF SECTIONS

1. Law to have effect in Alderney.
2. Citation.
3. Commencement.

SCHEDULE Exceptions, Adaptations and Modifications subject to which the Health Service (Benefit) (Guernsey) Law, 1990 is Extended to Alderney.

(Made on 13th December, 1990.)

The Alderney (Application of Legislation) (Health Service) (Benefit) Ordinance, 1990

THE STATES, in exercise of the powers conferred upon them by section 1 of the Alderney (Application of Legislation) Law, 1948^a, hereby order: –

Law to have effect in Alderney.

1. The Health Service (Benefit) (Guernsey) Law, 1990 (subject to such amendments, modifications, exceptions and adaptations as are enacted from time to time) is extended to the Island of Alderney subject to the exceptions, adaptations and modifications set out in the Schedule.]

NOTE

Section 1 was substituted by the Machinery of Government (Transfer of Functions) Ordinance, 2020, section 7, with effect from 1st June, 2020.¹

Citation.

2. This Ordinance may be cited as the Alderney (Application of Legislation) (Health Service) (Benefit) Ordinance, 1990.

Commencement.

3. This Ordinance shall come into force on 1st January, 1991.

^a Ordres en Conseil Vol. XIII, p. 448.

SCHEDULE
EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS SUBJECT TO WHICH
THE HEALTH SERVICE (BENEFIT) (GUERNSEY) LAW, 1990 IS EXTENDED
TO ALDERNEY

[1. In section 3 after "Guernsey" wherever appearing in that section insert "or Alderney".]

2. ...

3. ...

4. In sections 6(4), 10(2) and 15(2) after "Guernsey" insert "or Alderney".

5. In section 22(1) for the words following "summary conviction" substitute –

"to a fine not exceeding level 4 on the Alderney uniform scale, to imprisonment for a term not exceeding 3 months or to both."

6. In section 22(3) for the proviso substitute –

"provided that the penalty in respect of such an offence shall not exceed a fine of level 3 on the Alderney uniform scale or, in the case of a person's second or subsequent conviction of such an offence, level 4 on the Alderney uniform scale."

7. In section 39(1) insert the following definition –

"**"Alderney"** means the Island of Alderney, its dependencies and the territorial waters adjacent thereto;"

8. After section 39(4) insert –

" (5) The Interpretation (Guernsey) Law, 1948

applies to the interpretation of this Law and of any Ordinance or regulation made or having effect as if made under it as it applies to the interpretation of a Guernsey enactment."

NOTES

In the Schedule,

paragraph 1 was substituted, and paragraph 2 was repealed, by the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 2002, section 2, respectively paragraph (a) and paragraph (b), with effect from 1st January, 2003;

paragraph 3 was repealed by the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1996, section 1, with effect from 1st April, 1996.

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

¹ Prior to its substitution, section 1 was amended by the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1995, section 1, with effect from 1st January, 1996; the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) (No. 2) Ordinance, 1995, section 1, with effect from 1st January, 1996; the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1997, section 1, with effect from 1st January, 1998; the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 2002, section 1(a), (c) and (d), with effect from 1st January, 2003; the Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 2002, section 1(b), with effect from 14th April, 2003.