

# ORDER IN COUNCIL

XIII  
2019

ratifying a Projet de Loi

ENTITLED

## The Social Insurance (Guernsey) (Amendment) Law, 2019

(Registered on the Records of the Island of Guernsey on the 9th  
December, 2019.)



2020

# ORDER IN COUNCIL



## IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 9th day of December, 2019 before Sir Richard Collas, Bailiff; present:- Stephen Murray Jones, Esquire, O.B.E. Claire Helen Le Pelley, Terry John Ferbrache, David Allan Grut, Jonathan Grenfell Hooley, Steven John Morris, David James Mortimer, Esquires, Joanne Marie Wyatt, Alan Stevenson Boyle, Peter Francis Gill, David John Robilliard, and Stuart Michael Crisp, Esquires, and Tina Jane Le Poidevin, and Paul Martin Burnard, Esquire, Jurats.

The Bailiff, having this day placed before the Court an Order of Her Majesty in Council dated 10th July 2019, approving and ratifying a Projet de Loi of the States of Guernsey entitled “The Social Insurance (Guernsey) (Amendment) Law, 2019”. THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Comptroller thereon, ORDERED

1. That the said Order in Council be registered on the records of this Island;  
and
2. That an extract of this present Act, together with a copy of the said Order be sent by Her Majesty’s Greffier to The Greffier of the Court of Alderney for registration on the records of that Island.

J. TORODE  
Her Majesty’s Greffier.



*At the Court at Buckingham Palace*

THE 10th DAY OF JULY 2019

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty’s General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolutions of 31st July 2015 and 26th September 2018, the States of Deliberation at a meeting on 27th March 2019 approved a Projet de Loi entitled the Social Insurance (Guernsey) (Amendment) Law, 2019 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the Projet de Loi is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Social Insurance (Guernsey) (Amendment) Law, 2019, and to order that it shall have force of law in the Islands of Guernsey, Alderney, Herm and Jethou.

“The Committee have considered the Projet de Loi and have agreed to report that it may be advisable for Your Majesty to approve and ratify it”.

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the Projet de Loi (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Islands of Guernsey, Alderney, Herm and Jethou and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty’s Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty’s Order and to proceed accordingly.

*Richard Tilbrook*

# PROJET DE LOI

## ENTITLED

### **The Social Insurance (Guernsey) (Amendment) Law, 2019**

**THE STATES**, in pursuance of their Resolutions of the 31<sup>st</sup> July, 2015<sup>a</sup> and the 26<sup>th</sup> September, 2018<sup>b</sup> have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Alderney, Herm and Jethou.

#### **Amendment of the Social Insurance Law.**

1. (1) The Social Insurance (Guernsey) Law, 1978<sup>c</sup> is amended as follows.

(2) In the proviso at the end of section 20(5) –

(a) for "death grant," substitute "death grant –",

(b) label the remaining text as paragraph (a),

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<sup>a</sup> Article XX of Billet d'État No. XIV of 2015.

<sup>b</sup> Article VIII of Billet d'État No. XX of 2018.

<sup>c</sup> Ordres en Conseil Vol. XXVI, p. 292; as amended by Ordres en Conseil Vol. XXXIV, p. 510; Ordinance No. IX of 2016.

(c) at the end of paragraph (a), for "." substitute ", and",  
and

(d) after paragraph (a) insert –

"(b) in any other case, the relevant period shall not exceed forty-five years."

(3) In section 37, at the end of subsection (6) insert ", and any reference in this section to a child shall include a child who was still-born within the meaning of the Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998."

(4) In section 40(1), at the end of paragraph (b) of the interpretative provision in relation to "**employed person**", after "self-employed person," insert "and for these purposes, a person directed by the Administrator to participate in an employment training programme or course operated by or on behalf of, or approved by, the Committee shall be deemed to be gainfully occupied under a contract of service,".

(5) In section 40(2), at the end insert ", and may prescribe additional categories of persons to be treated for the purposes of industrial injuries benefits as employed persons".

**Citation and Commencement.**

2. This Law may be cited as the Social Insurance (Guernsey) (Amendment) Law, 2019, and shall come into force on the day of its registration on the records of the Island of Guernsey.