

PROJET DE LOI

ENTITLED

The Right to Work (Limitation and Proof) (Guernsey) Law, 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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* Ordres en Conseil Vol. XXXII, p. 59; as amended by the Housing (Control of Occupation) (Guernsey) Law, 1994 (No. IV of 1994, Ordres en Conseil Vol. XXXV(1), p. 75); the Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 148); the Right to Work (Limitation and Proof) (Tent Dwellers' Industries) (Amendment) Ordinance, 1991 (Recueil d'Ordonnances Tome XXV, p. 309); the Right to Work (Limitation and Proof) (Tent Dwellers' Industries) (Amendment) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 64); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Right to Work (Limitation and Proof) (Tent Dwellers' Declarations) Regulations 2003 (G.S.I. No. 9 of 2003). See also the Deputy Bailiff (Guernsey) Law, 1969 (Ordres en Conseil Vol. XXII, p. 122). This Law was repealed by the Population Management (Guernsey) Law, 2016 (No. VI of 2016).

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The Right to Work (Limitation and Proof) (Guernsey) Law, 1990

THE STATES, in pursuance of their Resolutions of the 30th day of June 1988 and the 27th day of April 1989, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Residential status of employed people

Limitation on freedom of employment.

1. (1) Every person who is in employment in Guernsey must be the holder of a currently valid right to work document.

(2) Subsection (1) of this section does not apply to any employment –

(a) in which the person concerned has been continuously engaged in Guernsey since [1st December, 1989] either

–

(i) as an employee under a contract of employment entered into on or before that date, or

(ii) as a self-employed person, or

- (b) in the course of a visit to Guernsey of a duration not exceeding 15 hours, or
- (c) of a person whose employer is not resident in Guernsey or a self-employed person who is principally employed outside Guernsey, at a time when the person concerned has been in employment in Guernsey –
 - (i) on no more than 10 days during the preceding 30 days, and
 - (ii) on no more than 90 days during the preceding 12 months,
- (d) under an appointment made by her Majesty's Warrant, Letters Patent or Commission (whether or not the appointee is or may be entitled to remuneration out of money provided by the States).

NOTE

In section 1, the date in square brackets in paragraph (a) of subsection (2) was substituted by the Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990, section 3(a), with effect from 1st August, 1990.

Right to Work Documents.

2. (1) In this Law a "**right to work document**" means –
- (a) a status declaration issued in accordance with section 11 of the Housing Law, stating a decision of [the Committee] that its holder is a qualified resident, or

- (b) a housing licence granted by [the Committee] under section 3 of the Housing Law, whether or not it is a short-term licence as defined in subsection (1A) of that section,
- (c) a declaration of lawful residence issued by [the Committee] under section 12A of the Housing Law,
- (d) a tent dweller's declaration issued by [the Committee] under section 3 of this Law, or
- (e) a temporary exemption certificate issued by [the Committee] under section 4 of this Law,
- [(f) a boat crew declaration issued by [the Committee] in accordance with any Ordinance made under section 15(1)(c) of this Law.]

(2) For the purposes of this Law a right to work document ceases to be "**currently valid**" –

- (a) in the case of a status declaration, when a person is convicted of an offence under section 42(a) of the Housing Law in connection with any application in consequence of which it was issued,
- (b) in the case of a housing licence (including a short-term housing licence) –
 - (i) upon the breach of any condition attached to it,

or

- (ii) on the date on which it is expressed to expire,
- (c) in the case of a declaration of lawful residence –
 - (i) when a person is convicted of an offence under section 42(a) of the Housing Law in connection with any application in consequence of which it was issued, or
 - (ii) when its holder ceases to reside at the dwelling specified in it in the same circumstances as those specified in it pursuant to section 12A(2)(b) of the Housing Law, or
 - (iii) on the date on which it is expressed to expire,
- (d) in the case of a tent dweller's declaration –
 - (i) if its holder ceases to be employed by the employer specified in it pursuant to section 3(3)(b) of this Law, or
 - (ii) if its holder ceases to live in a tent at the address specified in it pursuant to section 33(d) of this Law, or
 - (iii) on the date on which it is expressed to expire pursuant to section 3(3)(f) of this Law,

- (e) in the case of a temporary exemption certificate –
 - (i) upon the breach of any condition attached to it,
or
 - (ii) three months, or such [other] period as may be
specified in it in that regard, after the date of its
issue,
- [(f) in the case of a boat crew declaration –
 - (i) if its holder ceases to reside on board the vessel
specified in it, or
 - (ii) if its holder ceases to be employed as a member
of the crew of the vessel specified in it, or
 - (iii) on the date on which it is expressed to expire.]

NOTES

In section 2,

the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016;

paragraph (f) of subsection (1) was inserted by the Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990, section 1(4)(a), with effect from 1st August 1990;

the word in square brackets in sub-paragraph (ii) of paragraph (e) of subsection (2) was substituted by the Housing (Control of Occupation) (Guernsey) Law, 1994, section 72(a), with effect from 1st July, 1994;

paragraph (f) of subsection (2) was inserted by the Right to Work

*(Limitation and Proof) (Modification and Commencement of Law)
Ordinance, 1990, section 1(4)(b), with effect from 1st August 1990.*

Tent dwellers declarations.

3. (1) [The Committee] shall issue a tent dweller's declaration if, upon an application being made to it in such form, and accompanied by such information, as it may (in general or in any particular case) require, [the Committee] is satisfied that the person in respect of whom the application is made is living, or intends to live, in a tent at a specified address whilst engaged in employment with a specified employer in connection with –

[(a) horticulture, or

(b) tourism, or

(c) fish farming.]

(2) If [the Committee] is not satisfied as to all of the matters mentioned in subsection (1) of this section it shall refuse to issue a tent dweller's declaration and notify the applicant in writing of its reasons as soon as practicable; and a person aggrieved by such a refusal may appeal to the Ordinary Court, by way of a summons served on [the President] of [the Committee] within two months of that notification, on the ground that [the Committee] ought to have been satisfied as to all of those matters.

(3) A tent dweller's declaration shall be in such form as [the Committee] may from time to time determine, shall be signed by a person authorised in that behalf by [the Committee], and shall specify –

(a) the name of its holder, and

- (b) the name, and address in Guernsey, of its holder's employer, and
- (c) the nature of its holder's employment, and
- (d) the address where its holder will live in a tent, and
- (e) the date, not being earlier than 1st April in the year in which it is issued, on which it is to commence, and
- (f) the date, not being later than 31st October in the year in which it is issued, on which it is to expire.

NOTES

In section 3,

the words, first, "T/the Committee" and, second, "the President" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 7 and section 2, Schedule 1, paragraph 7(b), Schedule 2, Part 5, with effect from 1st May, 2016;

the words in square brackets in subsection (1) were substituted by the Right to Work (Limitation and Proof) (Tent Dwellers' Industries) (Amendment) Ordinance, 1992, section 1, with effect from 19th May, 1992.¹

Temporary exemption certificates.

4. Upon an application being made to it in such form, and accompanied by such information, as [the Committee] may (in general or in any particular case) require, [the Committee] may issue a temporary exemption certificate, signed by a person authorised in that behalf by [the Committee], in such form as [the Committee] may from time to time determine, and either unconditionally or subject to such conditions as it considers desirable.

NOTE

In section 4, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Information and inspection

Records.

5. It is the duty –

- (a) of every employer, in respect of every contract of employment entered into by him and in respect of every person employed by him in Guernsey,
- (b) of every self-employed person, in respect of his employment,

to keep a record, containing such information and in such form (if any) as [the Committee] may from time to time prescribe by regulations made under this section.

NOTES

In section 5, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

The following Regulations have been made under section 5:

Right to Work (Employment Records) Regulations, 1990.

Amendments to Social Insurance Laws.

6. (1) The Social Insurance (Guernsey) Law, 1978^a is amended as follows –

(a) in section 111(1) for "Subject to the provisions of section one hundred and eleven A of this Law, information" substitute "Subject to sections 111A and 111B of this Law, information",

(b) immediately after section 111A^b, insert –

"Further information."

111B. The Administrator shall, if and to the extent that he is requested to do so by a person authorised in that behalf by the States Housing Authority, disclose as soon as practicable to that person (for use in connection with the performance by that Authority of its functions under the Right to Work (Limitation and Proof) (Guernsey) Law, 1990 and the Housing (Control of Occupation) (Guernsey) Law, 1982) –

(a) the following information in respect of every insured person in respect of whom there has been paid a secondary class 1 or a class 2, contribution, or who has been credited with a class 1 or class 2 contribution credit,

^a Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; No. V of 1985; Nos. III and XXXI of 1986.

^b Section 111A was inserted by the Social Insurance (Amendment) (Guernsey) Law, 1982 (Vol. XXVII, p. 392).

during any contribution quarter:

- (i) his name, address and social insurance number,
 - (ii) the name and address of any person who was his employer during that contribution quarter,
 - (iii) if he commenced or ceased any employment or self employment, or if he ceased to fulfil such conditions as to residence in Guernsey as were for the time being prescribed, that fact and the date on which he did so,
- (b) the name and address of every employer of a person employed in Guernsey,
- (c) the name, address, social insurance number, economic sector of employment (if any) and name and address of employer (if any) of everyone who was an insured person on, and who paid, or was credited

with, a contribution in respect of the contribution week which included, 9th June 1988, as at that date." ²

(2) Section 1(a) of the Social Insurance (Amendment (Guernsey) Law, 1982^c is repealed.

Appointment and powers of inspectors.

7. (1) [The Committee] may from time to time appoint inspectors for the purposes of this Law; and every inspector so appointed shall be furnished with a certificate of appointment.

(2) For the purpose of ascertaining whether the provisions of this Law are being or have been complied with an inspector may, on production if so required of his certificate of appointment –

- (a) subject to subsection (3) of this section, enter at any reasonable time any premises where he has reasonable cause to believe that a person is in employment,
- (b) require the production of any record kept as required under section 5 of this Law and of any other information relating to a person in employment,
- (c) require any person appearing to the inspector to be in employment, or to be an employer, to answer such questions as the inspector may reasonably put to him and to sign a declaration as to the truth of his answers

^c Ordres en Conseil Vol. XXVII, p. 392.

to those questions,

- (d) require any person appearing to the inspector to have taken up self-employment or to have entered into a contract of employment as an employee on or after 10th June 1988 to produce, within such time as the inspector may reasonably require, a currently valid right to work document issued or granted to that person.

(3) An inspector shall not enter any dwelling without the consent of a person whom he reasonably believes to be entitled to grant entry unless –

- (a) upon information laid before the Bailiff on oath, the Bailiff has issued a warrant under this subsection authorising him so to enter, and
- (b) he produces that warrant, if requested to do so, upon seeking to enter the dwelling.

(4) An inspector exercising any of his powers under this section may have with him such other persons as he thinks fit.

(5) A power conferred by this section to require the production of any record, document or other information includes the power –

- (a) if it is produced, to examine and take copies of it,
- (b) if it is not produced, to require the person who was required to produce it to state, to the best of his knowledge and belief, where it is,

- (c) to require the reproduction in legible form of any record or information maintained otherwise than in legible form.

(6) An inspector may act simultaneously under powers conferred on him under this section and powers conferred on him under any other enactment.

NOTES

In section 7, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

In accordance with the provisions of the Deputy Bailiff (Guernsey) Law, 1969, section 5(4), with effect from 9th September, 1969, in the event of the Deputy Bailiff discharging any functions or exercising any powers appertaining to the office of Bailiff which he is authorised to discharge or exercise under or by virtue of the 1969 Law, the provisions contained herein relating to the discharge of such functions or the exercise of such powers shall have effect as if the references herein to the Bailiff included a reference to the Deputy Bailiff.

Confidentiality.

8. (1) Information obtained in connection with the operation of this Law shall not be disclosed, if it is information from which an individual or a body corporate or unincorporated body can be identified, except –

- (a) to the extent necessary for the performance of any function, or for the purpose of civil or criminal proceedings, in connection with this Law, the Housing Law or the Social Insurance (Guernsey) Law, 1978, or
- (b) in compliance with an order of any division of the Royal Court.

(2) For the purposes of subsection (1) of this section information disclosed to a person under section 111B of the Social Insurance (Guernsey) Law, 1978 is obtained by that person in connection with the operation of this Law.

Criminal proceedings

Employment in contravention of section 1.

9. (1) If a person is in employment in Guernsey in contravention of section 1 of this Law, then –

- (a) that person, and
- (b) subject to subsection (2) of this section, any person who is his employer is guilty of an offence.

(2) It is a defence for an employer charged with an offence under subsection (1) of this section to prove that he has taken all reasonable precautions to avoid the commission of an offence.

(3) A person convicted of an offence under sub-section (1) of this section is liable –

- (a) on summary conviction, to imprisonment for a term not exceeding three months, or to a fine not exceeding level 4 on the uniform scale, or to both,
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both.

Obstruction, fraud etc.

10. A person who –

- (a) obstructs, or fails to give all reasonable assistance to, an inspector exercising his functions under this Law, or
- (b) falsely represents that he, or an employee of his, is the holder of a currently valid right to work document, or
- (c) forges a right to work document, or
- (d) alters a right to work document without lawful authority, or
- (e) has in his possession without lawful excuse a right to work document which has been forged, or altered without lawful authority, or
- (f) includes in a record purporting to be kept in accordance with any regulations made under section 5 of this Law any information which is false or misleading in a material particular,

is guilty of an offence and liable –

- (i) on summary conviction, to imprisonment for a term not exceeding three months, or to a fine not exceeding level 4 on the uniform scale, or to both,
- (ii) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both.

Failure to keep records.

11. A person who fails to keep any record which he is required to keep by any regulations made under section 5 of this Law is guilty of an offence and liable, on conviction, to a fine not exceeding level 4 on the uniform scale.

Breach of confidentiality.

12. A person who discloses information in contravention of section 8 of this Law is guilty of an offence and liable, on conviction, to a fine not exceeding level 3 on the uniform scale, or to imprisonment for a term not exceeding one month, or to both.

Burden of proving non-applicability of section 1(1).

13. It is hereby declared for the avoidance of doubt that in any proceedings for an offence under this Law the burden of proving that the employment concerned fell within any paragraph of section 1(2) of this Law must be discharged by the person who so alleges.

Criminal liability of directors, etc.

14. (1) If an offence under this Law committed by a body corporate or by an unincorporated body is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of that body or any person who was purporting to act in any such capacity, he, as well as that body, is guilty of that offence and liable to be proceeded against and punished accordingly.

(2) For the purposes of this section a person is deemed to be a director of a body corporate if he is a person in accordance with whose directions or instructions the directors of the body corporate or any of them act.

Miscellaneous and Supplementary

Suspension or modification of certain provisions.

15. (1) The States may from time to time by Ordinance –

- (a) suspend (either indefinitely or for a specified period) sections 2(1)(d), 2(2)(d) and 3 of this Law,
- (b) ...
- (c) amend section 2 of this Law so as to –
 - (i) include in the definition of a "right to work document" a document issued by [the Committee] under powers conferred by the Ordinance entitling a person to work as a member of the crew of a vessel on which [the Committee] is satisfied that he is residing at the time, and
 - (ii) set out the circumstances in which a document so issued ceases to be valid.

[(1A) [The Committee] may by regulation amend the list of industries set out in section 3(1) of this Law.]

[(1B) Regulations under subsection (1A) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new regulations.]

(2) An Ordinance [or regulations] made under this section may –

- (a) make different provision in relation to different cases and circumstances,
- (b) contain incidental provisions relevant to its operation and enforcement,
- (c) contain supplementary and transitional provisions,
- (d) be varied or repealed by a subsequent Ordinance [or regulations] so made.

NOTES

In section 15,

paragraph (b) of subsection (1) was repealed by the Housing (Control of Occupation) (Guernsey) Law, 1994, section 72(b), with effect from 1st July, 1994;

the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016;

subsection (1A) and subsection (1B) were inserted by the Housing (Control of Occupation) (Guernsey) Law, 1994, section 72(c), with effect from 1st July, 1994;

the words "or regulations" in square brackets, wherever occurring, were inserted by the Housing (Control of Occupation) (Guernsey) Law, 1994, section 72(d), with effect from 1st July, 1994.

The following Ordinance has been made under section 15:

Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990.

Interpretation and construction.

16. (1) In this Law, unless the context otherwise requires –

"[the Committee]" means the States [Committee for Home Affairs] or such other Committee of the States as the States may from time to time specify by Ordinance,

"body corporate" includes a body incorporated under the law of any country or territory,

"contract of employment" means a contract of service or apprenticeship (whether written or oral, express or implied),

"dwelling" means any premises, or any part of any premises (including premises in respect of which there is in force a boarding permit granted under the Tourist Law, 1948^d) used or usable for human habitation,

"employee" means a person engaged in an occupation under a contract of employment,

"employer" means a person responsible under a contract of employment for paying the remuneration of an employee,

"employment" means any occupation whether full-time or part-time, and whether under a contract of employment or as a self-employed person from which remuneration or profit in money or money's worth is or may be directly or indirectly derived, and includes any trade, business, office, profession and vocation,

"holder" –

^d Ordres en Conseil Vol. XIII, p. 329.

- (a) in the case of a status declaration, tent dweller's declaration or temporary exemption certificate, means the person identified in it as the person in respect of whom it was issued,
- (b) in the case of a housing licence or declaration of lawful residence, means the person identified in it as the person in respect of whose occupation of a dwelling it was granted or issued,

"the Housing Law" means the Housing (Control of Occupation) (Guernsey) Law, 1982^e,

"inspector" means a person appointed as an inspector for the purposes of this Law under section 7(1),

"this Law" includes any regulations made under a power conferred by this Law,

"Ordinary Court" means the Royal Court sitting as an Ordinary Court,

"premises" includes land, vessels and aircraft, as well as buildings,

"prescribed" means prescribed by regulations made under this Law,

"qualified resident" has the same meaning as in the Housing Law,

^e Ordres en Conseil Vol. XXVII, p. 448 No. V of 1988, No. VIII of 1990.

"right to work document" has the meaning given in section 2(1),

"self-employment" means employment otherwise than under a contract of employment,

"the States" means the States of Guernsey; and related words and expressions are to be construed accordingly.

(2) For the purposes of this Law a person is **"in employment in Guernsey"** wherever he does anything in connection with his employment whilst physically present in Guernsey.

(3) A reference in this Law to an enactment is a reference to that enactment as from time to time amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

NOTES

In section 16, the words, first, "the Committee" and, second, "Committee for Home Affairs" in square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 7 and section 2, Schedule 1, paragraph 7(b), Schedule 2, Part 5, with effect from 1st May, 2016.³

The functions, rights and liabilities of the Housing Department and of its Minister or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 7(b), Schedule 2, Part 5, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.⁴

The Housing (Control of Occupation) (Guernsey) Law, 1982 has since been repealed by the Housing (Control of Occupation) (Guernsey) Law, 1994, section 73, Schedule, with effect from 1st July, 1994, subject to the savings in section 68, section 69 and section 70 of the 1994 Law.

Regulations.

17. Regulations made under this Law –

- (a) may make different provision in relation to different cases or circumstances,
- (b) may contain such incidental, supplementary and transitional provisions as appear to [the Committee] to be expedient,
- (c) may be varied or revoked by subsequent regulations so made,
- (d) shall be laid before a meeting of the States as soon as possible after being made; and if, at that meeting or the next meeting, the States resolve that the regulations be annulled, they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

NOTE

In section 17, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Citation.

18. This Law may be cited as the Right to Work (Limitation and Proof) (Guernsey) Law, 1990.

Commencement etc.

19. This Law shall come into force on such date as the States may by Ordinance appoint; and such an Ordinance may –

- (a) appoint different dates for different provisions of this Law and for different purposes,
- (b) contain transitional provisions, exceptions and savings,
- (c) modify the provisions of this Law by substituting for the date "9th June 1988", in paragraph (a) of section 1(2) of this Law and in the amendment to the Social Insurance (Guernsey) Law, 1978 effected by paragraph (b) of section 6(1) of this Law, such later date as may be specified in that regard in the Ordinance.

NOTE

The Law was brought into force on 1st August, 1990 by the Right to Work (Limitation and Proof) (Modification and Commencement of Law) Ordinance, 1990, section 2(a), save for sections 1, 9 and 13, brought into force on 1st December, 1990 by section 2(b) of the same Ordinance.

¹ These words were previously substituted by the Right to Work (Limitation and Proof) (Tent Dwellers' Industries) (Amendment) Ordinance, 1991, section 1, with effect from 25th April, 1991; and by the Right to Work (Limitation and Proof) (Tent Dwellers' Declarations) Regulations 2003, regulation 1, with effect from 1st April, 2003 until 25th June, 2003 (whereupon the States, pursuant to their Resolution of that latter date concerning Billet d'État No. X, dated 8th May, 2003, resolved that, in

pursuance of section 17(d) of this Law, the 2003 Regulations be annulled).

² For subsequent amendments, see the consolidated text of the Social Insurance (Guernsey) Law, 1978.

³ The words "Committee for Home Affairs" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 17, with effect from 6th May, 2004.

⁴ The functions, rights and liabilities of the Housing Department and its Minister arising under or by virtue of this Law were previously transferred to and vested in them from, respectively, the Housing Authority and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 17, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.