

**IX.
1931.**

ORDRE EN CONSEIL

Ratifiant un Projet de Loi intitulé

Loi ayant rapport aux Pensions pour la Vieillesse et la Cécité, 1931.

(Enregistré sur les Records de l'Île de Guernesey le
7 novembre 1931.)



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1931.

ORDRE EN CONSEIL.



A LA COUR ROYALE DE L'ILE DE GUERNSEY.

Le 7 novembre 1931, pardevant Arthur William Bell, écuyer, Baillif; présents : Julius Bishop, William de Prélaz Crousaz, Jean Allés Simon, Jean Roussel, Richard Francis McCrea, Osmond Priaux Gallienne, Geoffrey Alfred Carey, Ernest de Garis, Jean Nicolas Robin, Sidney Beckwith Mainguy et Cyril de Putron, écuyers, Jurés.

Monsieur le Baillif ayant ce jour communiqué à la Cour un Ordre de Sa Majesté en Conseil en date du 1er octobre, 1931, ratifiant un Projet de Loi intitulé "Loi ayant rapport aux Pensions pour la Vieillesse et la Cécité, 1931."

La Cour, après avoir eu lecture du dit Ordre, ouïes les conclusions des Officiers du Roi, a ordonné que le dit Ordre en Conseil sera enregistré sur les Records de cette Ile, duquel Ordre la teneur suit :—

At the Court at Buckingham Palace,

The 1st day of October, 1931.

Present,

The King's Most Excellent Majesty

LORD PRESIDENT,
MARQUESS OF LONDONDERRY,
LORD AMULREE,
SECRETARY SIR A. SINCLAIR.

Whereas there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 30th day of September, 1931, in the words following, viz. :—

"**Your Majesty** having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

LE 7 NOVEMBRE 1931.

'1.—That on the 21st day of January, 1931, the States of Deliberation duly considered a report submitted by their Committee known as The Old Age Pensions Authority, recommending that the Laws relating to Old Age Pensions be revised in order to make them more suitable to local needs and conditions, and that the provisions thereof be extended to blind persons at 50 years of age. A resolution was passed approving these recommendations, and requesting the Royal Court to prepare a Bill or *Projet de Loi* to give effect to the same. 2.—That on the 20th day of June, 1931, the Royal Court adopted a Bill or *Projet de Loi* prepared by the Law Officers of the Crown embodying the above recommendations, and requested the Bailiff to submit the same to the States for their approval. 3.—That on the 29th day of July, 1931, the said Bill or *Projet de Loi* was duly considered by the States, when a resolution was passed approving the same with slight modifications, and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 4.—That the said Bill or *Projet de Loi* is intituled "*Loi ayant rapport aux Pensions pour la Vieillesse et la Cécité, 1931,*" and is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or *Projet de Loi* of the States of Guernsey intituled "*Loi ayant rapport aux Pensions pour la Vieillesse et la Cécité, 1931,*" and to order and direct that the same shall have the force of Law within the Island of Guernsey.'

"The Lords of the Committee in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said *Projet de Loi* into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said *Projet de Loi*."

His Majesty, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

And His Majesty doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. Hankey.

**"PROJET DE LOI" referred to in the foregoing
Order in Council.**

**LOI AYANT RAPPORT AUX PENSIONS POUR
LA VIEILLESSE ET LA CÉCITÉ, 1931.**

Les Etats ayant, le 21 janvier 1931, délibéré sur plusieurs amendements à apporter à la Loi ayant rapport aux Pensions pour la Vieillesse sanctionnée par Ordre de Sa Majesté en Conseil enregistré le 12 avril 1926 ainsi qu'elle est amendée par la Loi supplémentaire à la Loi ayant rapport aux Pensions pour la Vieillesse (1928) sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le 28 juillet 1928, ont été d'avis que les dites lois doivent être remplacées par une loi nouvelle incorporant les dits amendements.

Afin de donner effet à la dite délibération des Etats à ce sujet, et moyennant la Sanction de Sa Très Excellente Majesté en Conseil, les dispositions suivantes rédigées en anglais auront force de loi en cette Ile.

ARTICLE I.

Definitions.

In this law—

- (1) The masculine shall include the feminine and the singular the plural, unless the context requires otherwise.
- (2) "Pensions Authority" means the States Old Age Pensions Authority constituted under Article VII of this law.
- (3) "The Administrator" means the Administrator of Pensions constituted under Article VII of this law.
- (4) "Pension," when not qualified by descriptive terms, means "Old Age Pension" or "Pension on account of Blindness."
- (5) "Blind" or "Blindness" means the state of a person who is so blind as to be unable to perform any work for which eyesight is essential.

ARTICLE II.

Right to Receive Pensions.

1. Every person in whose case the conditions laid down by this law for the receipt of a pension (in this law referred to as statutory conditions) are fulfilled, shall be entitled to receive such a pension under this law so long as those conditions continue to be fulfilled, and so long as he is not disqualified under this law for the receipt of the pension.

2. A pension under this law shall be at the rate set forth in the schedule to this law.

3. The sums required for the payment of pensions under this law shall be paid out of moneys provided by the States.

4. The receipt of a pension under this law shall not deprive the pensioner of any franchise, right or privilege, or subject him to any disability.

ARTICLE III.

Statutory Conditions for Receipt of a Pension.

PART I.

GENERAL.

The person must satisfy the Pensions Authority that his yearly means as calculated under this law do not exceed Forty-two pounds eighteen shillings.

PART II.

STATUTORY CONDITIONS FOR RECEIPT OF
AN OLD AGE PENSION.

The statutory conditions for the receipt of an old age pension by any person are:—

- (1) The person must have attained the age of seventy years. For the purpose of this law a person shall be deemed to have attained the age of seventy years on the commencement of the day previous

to the seventieth anniversary of the date of his birth, and a similar method shall be applied in calculating any other age under the provisions of this law.

- (2) The person must satisfy the Pensions Authority that for the ten years last preceding the date of the receipt of any sum on account of an old age pension he has been a British subject, save that this condition shall not be required to be fulfilled in the case of a woman who satisfies the Pensions Authority that she would, but for her marriage with an alien, have fulfilled this condition, provided that she satisfies the Pensions Authority that she has, since attaining the age of forty-five years, had her residence in the Island of Guernsey for an aggregate period of not less than twenty years.
- (3) The person must satisfy the Pensions Authority, if he is a natural-born British subject, that he has, since attaining the age of fifty years, had his residence in the Island of Guernsey for an aggregate period of not less than twelve years, and if he is a British subject not natural born, that he has, since attaining the age of forty-five years, had his residence in the Island of Guernsey for an aggregate period of not less than twenty years.

PART III.

STATUTORY CONDITIONS FOR RECEIPT OF A PENSION ON ACCOUNT OF BLINDNESS.

The statutory conditions for the receipt of a Pension on account of Blindness by any person are :—

- (1) The person must have attained the age of fifty years.
- (2) The person must satisfy the Pensions Authority that he is blind.
- (3) The person must satisfy the Pensions Authority that for the ten years last preceding the date of the receipt of any sum in respect of a pension on

account of blindness he has been a British subject, save that this condition shall not be required to be fulfilled in the case of a woman who satisfies the Pensions Authority that she would, but for her marriage with an alien, have fulfilled this condition, provided that she satisfies the Pensions Authority that she has, for the twenty years last preceding the date of her claim for such pension, had her residence in the Island of Guernsey for an aggregate period of not less than fifteen years.

- (4) The person must satisfy the Pensions Authority, if he is a natural-born British subject, that he has for the twenty years last preceding the date of his claim for a pension on account of blindness, had his residence in the Island of Guernsey for an aggregate period of not less than twelve years, and if he is a British subject not natural born, that he has, for the twenty-five years last preceding the date of his claim for such pension, had his residence in the Island of Guernsey for an aggregate period of not less than twenty years.

PART IV.

PROVISOS.

1. Provided that for the purpose of computing the required period of residence in the Island of Guernsey under the provisions of Part II and Part III of this Article:—

- (a) Any periods spent in Great Britain and Northern Ireland by a person born in the Island of Guernsey;
- (b) Any periods spent outside the Island of Guernsey of service under the Crown or as the wife or servant of a person engaged in such service by a person who, up to the commencement of such service, had his residence in the Island of Guernsey;

- (c) Any periods of absence spent in service on board a vessel registered in the Island of Guernsey, by a person who, immediately before his absence on that service, had his residence in the Island of Guernsey;
 - (d) Any periods of temporary absence not exceeding ninety-one days in duration at any one time;
 - (e) Any periods of absence spent in the service of an employer resident in the Island of Guernsey by a person who, before his absence on that service, had his residence in the Island of Guernsey;
- shall be counted as periods of residence in the Island of Guernsey.

2. Provided also that a person who is in receipt of a pension on account of blindness shall not by reason of having attained the age of seventy years be entitled to an old age pension in addition to his pension on account of blindness, but in the event of such person having his eyesight restored after attaining the age of seventy years he shall be entitled to receive an old age pension instead of a pension on account of blindness notwithstanding that in other respects he may not have fulfilled the statutory conditions prescribed in Part II of this Article.

3. Provided also that a person who while in receipt of an old age pension becomes blind shall not be entitled to a pension on account of blindness in addition to his old age pension.

ARTICLE IV.

Disqualification for a Pension.

1. A person shall be disqualified for receiving or continuing to receive a pension under this law notwithstanding the fulfilment of the statutory conditions:—

- (a) While he is absent from the Island of Guernsey.

Provided that absences not exceeding in the aggregate a duration of five weeks in any period of twelve weeks and not exceeding in respect of

any one such absence a duration of four weeks, shall not be a disqualification under this clause of this Article.

- (b) While he is an inmate of any workhouse or other poor law institution, or while he is detained in any Lunatic Asylum or is being maintained in any place as a pauper or criminal lunatic.

Provided that a person who has become an inmate of any workhouse or other poor law institution or lunatic asylum, otherwise than as a criminal lunatic, for the purpose of obtaining medical or surgical treatment, shall not during a period of three months from the date on which he becomes such an inmate if he so long continues to require such treatment, be disqualified on the ground only that he is such an inmate for receiving or continuing to receive a pension, and any rule of law and any enactment, the effect of which is to cause relief given to or in respect of a wife or relative to be treated as relief given to the person liable to maintain the wife or relative shall not have effect for the purposes of this Article.

The receipt of poor law relief or assistance of any description by a person who is not an inmate of a workhouse or other poor law institution shall not disqualify that person from receiving or continuing to receive a pension.

- (c) If, before he becomes entitled to a pension, he has habitually failed to work according to his ability, opportunity and need, for the maintenance or benefit of himself and those legally dependent upon him.

2. Where a person has been before the registration of the Order of His Majesty in Council sanctioning this law or is after such registration convicted of any offence, and ordered to be imprisoned for a term not exceeding two months with or without hard labour without the option of a fine, he shall be disqualified for receiving or con-

tinuing to receive a pension under this law while he is detained in prison in consequence of the order and for a further period of six months following the date on which he is released from prison.

3. Where a person has been, before the registration of the Order of His Majesty in Council sanctioning this law or is, after such registration, convicted of any offence and ordered to be imprisoned for a term ~~not~~ exceeding two months with or without hard labour, without the option of a fine or to suffer any greater punishment, he shall be disqualified for receiving or continuing to receive a pension under this law while he is detained in prison in consequence of the order and a further period of two years following the date on which he is released from prison. Provided nevertheless that the Pensions Authority shall have power in approved cases at its discretion to reduce that part of the period of disqualification under this and the preceding sub-section which follows after release from prison.

ARTICLE V.

Limitation with respect to Payment.

A sum shall not be paid on account of a pension :—

- (a) To any person while absent from the Island of Guernsey except in such cases as, being within the limitations of the proviso to sub-section (a) of section 1 of Article IV of this law, are approved by the Pensions Authority.
- (b) If payment of the sum is not claimed within four weeks after the date on which it has become payable.

ARTICLE VI.

Calculation of Means.

1. In calculating for the purpose of this law the means of a person, account shall be taken of :—

(a) The yearly value of any property belonging to that person (not being property personally used or enjoyed by him) which is invested, or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him, and of the yearly value of any advantage accruing to that person from the use or enjoyment of any property belonging to him which is personally used or enjoyed by him, excluding furniture and personal effects, of which no account shall be taken, whatever the value thereof may be; and such yearly value shall be calculated as follows, that is to say:—

- (i) The yearly value of the first two hundred pounds of the capital value of the said property shall be taken to be one twenty-fifth part of the capital value; and
- (ii) The yearly value of so much of the capital value of the said property as exceeds the sum of two hundred pounds shall be taken to be one-tenth part of such excess capital value.

In the case of real property other than rentes situated in the Island of Guernsey, the capital value thereof shall be a sum equal to twenty times the annual rental value of the property as shown in the Cadastre, and deduction shall be made of the capital value of the rentes and other registered charges thereon.

The capital value of rentes shall be taken to be twenty times the yearly value thereof.

- (b) The nett income which that person may reasonably expect to receive during the succeeding year in cash, excluding any sums receivable on account of a pension under this law, and excluding any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by him), that income, in the absence of other means for ascertaining the

income, being taken to be the income actually received during the preceding year. Provided that no account shall be taken of any amounts received by a person or by the husband or wife of a person, as the case may be, under a medical certificate as sickness or accident benefit from a Friendly or Provident Society or Trade Union, or during a period of not more than three months in any year under the law entitled "Loi ayant rapport à la Compensation pour Accidents aux Ouvriers, 1930."

- (c) The yearly value of any benefit or privilege enjoyed by that person.

Provided that where under sub-section (a) of the foregoing provisions of this section the yearly value of any property is taken to be one twenty-fifth or one-tenth of the capital value thereof, no account shall be taken under any other of those provisions of any appropriation of that property for the purpose of current expenditure.

2. Where a husband is separated from his wife, any sum paid by him to her under a separation order shall be deducted in calculating his means.

3. In calculating the means of a person being one of a married couple living together in the same house, the means shall be taken to be one-half of the total means of the couple, and where either of the couple or the couple jointly is or are entitled to any property, each of them shall be deemed to be entitled to one-half of that property.

4. If it appears that any person has directly or indirectly deprived himself of any income (other than earnings) or property in order to qualify himself for the receipt of a pension or for the receipt of a pension at a higher rate than that to which he would otherwise be entitled under this law, that income or the yearly value of that property shall, for the purpose of this section, be taken to be part of the means of that person.

ARTICLE VII.

Administration, Pensions Authority, Administrator.

1. The control and management of pensions under this law shall vest in a permanent Committee to be called "The States Old Age Pensions Authority."

2. The Committee shall be composed of:—

- (a) The President, who shall be elected by the States from among the members of the States for a term of five years, and
- (b) Six members elected by the States for a term of three years in such a way that the term of service of three members shall expire eighteen months before the expiration of the term of service of the other three members.

Provided, as to this and the preceding subsection, that the President and members of the States Old Age Pensions Authority constituted under the law hereinafter repealed entitled "*Loi ayant rapport aux Pensions pour la Vieillesse*," sanctioned by an Order of His Majesty in Council registered on the 12th day of April, 1926, who were holding office at the commencement of this law, shall continue in office as President and members of and constituting the States Pensions Authority under this law until the expiration of their respective terms of service as the same were accruing under the said law hereinafter repealed.

- (c) Every member retiring at the expiration of his term of service shall be eligible for re-election.

In the event of a vacancy by death, resignation or otherwise, the member elected to fill the vacancy shall remain in office during the unexpired term only of the member to replace whom he was elected.

- (d) The President shall retire from office on ceasing to be a member of the States.

3. Three members, including the member presiding, shall form a quorum; the member presiding shall have

no vote unless the votes of the other members are equally divided, in which case he shall have a casting vote.

4. An Administrator of Pensions shall be appointed by the States Appointments Board at a salary to be fixed and paid by the States.

Provided that the Administrator of Old Age Pensions appointed and paid by the States under the aforesaid law hereinafter repealed shall continue in office as the Administrator of Pensions as though appointed under this law.

5. The Administrator shall keep all necessary statistics and records and shall investigate all claims received.

ARTICLE VIII.

Method of Payment.

1. A pension, subject to any directions of the Pensions Authority in special cases, shall be paid weekly in advance in such manner as the Pensions Authority shall direct and subject to such conditions as to identification or otherwise as shall be directed by Ordinance of the Royal Court.

2. Payments of pensions shall be made by the Administrator or by his subordinate officer in each parish of the Island at such place and on such regular fixed days of the week, hereinafter called the Pension Day, and within such hours in respect of each parish as the Administrator shall appoint.

3. Where any public holiday falls on the Pension Day of any parish the Pensions Authority may, at its discretion, direct that sums payable by way of pension on that day shall be paid on some other day in the same week, whether earlier or later.

4. Where, in the discretion of the Pensions Authority or of the Administrator it appears that the interest of a claimant or pensioner so requires, the Pensions Authority or the Administrator shall have power to appoint a person well acquainted with the circumstances of such claimant or pensioner, and who shall where pos-

sible be a relative of such claimant or pensioner, and shall be vouched for by the Constables of the parish in which such person resides, to exercise on behalf of such claimant or pensioner any right to which such claimant or pensioner may be entitled under this law, and to authorise any person so appointed to receive on behalf and for the benefit of the claimant or pensioner any sums payable by way of pension and to vary such appointment at its or his discretion if the interests of the claimant or pensioner warrant it. Provided that no person may hold more than six appointments under this section at the same time.

5. Where a pension is first allowed the pension shall commence to accrue, and where, by virtue of a decision on any question which has been raised, a pension becomes payable at an increased rate, the pension shall commence to accrue at the increased rate on the first pension day appropriate to the parish in which the pensioner resides after the date on which the claim for the pension is received by the Administrator, or on which the notice of the question is received by the Administrator, as the case may be, or on the first pension day for the given parish after the date on which the claimant or the pensioner first becomes entitled to the pension or on which the pension first becomes payable at the increased rate, whichever is the later, or, if the later of those two dates is the pension day for the given parish, then on that day.

ARTICLE IX.

Inalienability of Pension.

Every assignment of or charge on and every agreement to assign or charge a pension under this law shall be void, and pensions shall not in any case be attachable by creditors, nor shall they be taken into account in the calculation of means in any judicial proceedings for the purpose of an instalment or a committal order.

ARTICLE X.

Claims for Pensions, Questions, Appeal.

1. All claims for a pension under this law, as well as claims for an increase of pension shall, in the first instance, be made to the Administrator in writing and in such form as shall be prescribed by Ordinance of the Royal Court. The Administrator shall forthwith report such claims to the Pensions Authority. All questions which may be raised under this Article of this law shall be submitted by the Administrator to the Pensions Authority and the Pensions Authority shall (except in the case of a question which has been originated by the Administrator and on which the Pensions Authority has already received his report) before considering any claim or any question, refer it for report and enquiry to the Administrator. The Administrator shall enquire into and report upon any claim or question so referred to him, and the Pensions Authority shall on the receipt of the report of the Administrator and after obtaining from him or from any other source, if necessary, any further information as to the claim or question, consider the case and give its decision upon the claim or question.

2. It is hereby declared that a question may be raised at any time :—

- (a) Whether the statutory conditions are fulfilled in the case of any person claiming such a pension, or whether those conditions continue to be fulfilled in the case of a person in receipt of such a pension, or whether a person is disqualified for receiving or continuing to receive a pension; and
- (b) Whether at any time or during any period a person has been in receipt of a pension when the statutory conditions were not fulfilled, or when he was disqualified for receiving the pension; and
- (c) Whether a person has been at any time or during any period in receipt of a pension at a certain

rate when his means exceeded the amount which justified the payment of a pension at that rate, and, if so, at what rate the pension, if any, should have been paid; and

- (d) Whether a person who is in receipt of a pension at a certain rate is, having regard to his means, entitled to a pension at a higher or a lower rate, and, if so, at what rate the pension (if any) should be paid;

and that an application may be made at any time to alter or revoke a provisional allowance of a claim for a pension.

3. Any such questions may be raised notwithstanding that the decision of the question involves a decision as to the correctness of a former decision of the Pensions Authority, but where, by a later decision a former decision is reversed, a person who has received any sums on account of a pension in accordance with the former decision shall, notwithstanding anything in section 2 of Article XI of this law in the absence of any fraud on his part, be entitled to retain any sum so received up to the date of the later decision, which he would have been entitled to retain but for the reversal of the former decision.

4. Where a question is raised as to the disqualification of a person to receive a pension and it is alleged that the disqualification has arisen since the person has been in receipt of the pension, and that the disqualification is continuing at the time the question is raised, or, if it has ceased, has ceased less than three weeks before that time, the payment of the pension shall be discontinued, and no sum shall be paid to the pensioner on account of the pension after the date on which the question is raised. Provided that, if the question is decided in favour of the pensioner, he shall be entitled to receive all sums which would have been payable to him if the question had not been raised.

5. If the decision on any question involves the discontinuance of a pension, or the reduction of the rate at

which the pension is paid, or if, in a case where the payment of the pension has been discontinued on the raising of the question, the question is not decided in favour of the pensioner, the person in respect of whose pension the decision is given shall not be entitled to receive a pension or to receive a pension at a rate higher than that determined by the Pensions Authority, notwithstanding any change of circumstances, unless he makes a fresh claim for the purpose and the claim is allowed, or, in a case where he alleges that he is entitled to receive a pension at a higher rate, raises a question for the purpose and the pension is allowed at a higher rate.

6. The Administrator and any person aggrieved, or the Constables of the parish in which the aggrieved person resides, on behalf of such person, may appeal to the Ordinary Court against a decision of the Pensions Authority allowing or refusing a claim for pension or determining any question referred to it. Every such appeal shall be made within fifteen days from the date of intimation of the decision in such form and manner as may be prescribed by Regulations under an Ordinance of the Royal Court and shall be heard summarily unless the Court decides that justice cannot be done without adjourning the matter.

7. If any person is aggrieved by the refusal or neglect of the Pensions Authority to consider a claim for a pension or to determine any question referred to it, or if the Administrator is dissatisfied with any such refusal or neglect, that person, or the Administrator, may apply in the prescribed manner to the Ordinary Court, and the Court, if it considers that the Pensions Authority has refused or neglected to consider and determine the claim or question within a reasonable time, shall itself consider and determine the claim or question in the same manner as on an appeal from the Pensions Authority.

8. The decision of the Pensions Authority on any claim or question which is not referred to the Ordinary Court and the decision of the Court on any claim or question which is so referred to, it shall be final and conclusive.

ARTICLE XI.

Penalty for False Statement. Repayments of Pension to which Pensioner is not entitled.

1. If for the purpose of obtaining or continuing a pension under this law, either for himself or for any other person, or for the purpose of obtaining or continuing a pension under this law for himself or for any other person at a higher rate than that appropriate to the case, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction in the Police Court to imprisonment for a term not exceeding six months, with or without hard labour.

2. If it is found at any time that a person has been in receipt of a pension under this law :—

- (a) At a higher rate than that appropriate to the case, or
- (b) While the statutory conditions were not fulfilled in his case, or
- (c) While he was disqualified for receiving the pension, such person or, in the case of his death, his personal representative, shall be liable to repay to the Pensions Authority any sums paid to him in respect of the pension, whether in excess of the appropriate amount or while the statutory conditions were not fulfilled, or while he was disqualified for receiving the pension, and the amount of those sums may be recovered as a debt due to the States.

3. For the purposes of section 2 of this article, any decision of the Pensions Authority under Article X of this law on any question which is not referred to the Ordinary Court shall be conclusive proof of any matters thereby decided by the Pensions Authority.

A copy of any decision of the Pensions Authority, if authenticated by the signature of the President, Vice-President or Acting President of the Pensions Authority, and by the signature of the Administrator or Acting Administrator, shall be received in evidence.

4. Where any person who is in receipt of a pension is liable to repay to the Pensions Authority any sums under section 2 of this article in consequence of the finding of the Pensions Authority or of the decision of the Court in the case of a question referred to it, the Pensions Authority shall be entitled, without prejudice to its powers under that section, to direct the deduction of those sums from any sums to which that person becomes entitled on account of a pension in such manner as shall be authorised by Ordinance of the Royal Court.

Provided that, in the case of a personal representative, the deduction shall only be made from any sums to which that person becomes entitled as a personal representative.

ARTICLE XII.

Ordinance Regulations.

1. The Royal Court is empowered to pass an Ordinance embodying regulations for carrying this law into effect, and in particular :—

- (a) For prescribing the evidence to be required as to the fulfilment of statutory conditions;
- (b) For prescribing the manner in which claims to pensions may be made, and the procedure to be followed on the consideration and determination of claims and questions to be considered and determined by the Pensions Authority and the mode in which any question may be raised as to the continuance, in the case of a pensioner, of the fulfilment of the statutory conditions, and as to the disqualification of a pensioner.

2. The regulations shall provide for enabling claimants for pensions to make their claims and obtain information as respects pensions under this law, and for provisionally allowing claims to pensions before the date on which the claimant will become actually entitled to the pension, and for notice being given by the registrar of births and deaths to the Administrator or Pensions

Authority of every death of a person over sixty years of age registered by him, in such manner and subject to such conditions as may be laid down by the regulations, and for making the procedure for considering and determining on any claim for a pension or question with respect to a pension under this law as simple as possible.

ARTICLE XIII.

Commencement.

This law shall come into force on the fifty-sixth day after the day on which the Order of His Majesty in Council sanctioning the same shall have been registered on the records of this Island, and no pension under this law shall begin to accrue until that day.

ARTICLE XIV.

Repeal and Savings.

The law entitled "Loi ayant rapport aux Pensions pour la Vieillesse," sanctioned by an Order of His Majesty in Council registered on the 12th day of April, 1926, and the law supplementary thereto entitled "Loi supplémentaire à la Loi ayant rapport aux Pensions pour la Vieillesse (1928)," sanctioned by an Order of His Majesty in Council registered on the 28th day of July, 1928, are hereby repealed.

Provided that this repeal shall not, as regard the said laws so repealed, have effect to—

- (a) Shorten any period in which, under the said laws, any forfeiture or disqualification was accruing at the commencement of this law;
- (b) Affect any right to an old age pension existing at the commencement of this law by virtue of the Proviso to sub-section (b) of section (1) of Article IV of the said law of 1926, but nevertheless such pension shall be subject to the provisions of this law as to review, variation and otherwise, but so that the same shall not be increased thereunder;

- (c) Affect any claim, question, or appeal, pending at the commencement of this law;
 - (d) Affect any fine or punishment incurred in respect of a breach of any of the provisions of the said laws so repealed;
 - (e) Affect any legal proceedings in respect of any such fine or punishment;
- and any such legal proceedings may be instituted, continued or enforced and any such fine or punishment may be imposed as if this law had not been passed.

SCHEDULE.

MAXIMUM PENSION.

Ten shillings per week.

Means of Claimant or Pensioner.

Rate of Pension
per week.

Where the yearly means of the claimant or pensioner as calculated under this law :—

Do not exceed	£19	10	0	10s.
Exceed	£19	10	0	but do not exceed	£22	2	0	...	9s.
"	£22	2	0	"	"	£24	14	0	8s.
"	£24	14	0	"	"	£27	6	0	7s.
"	£27	6	0	"	"	£29	18	0	6s.
"	£29	18	0	"	"	£32	10	0	5s.
"	£32	10	0	"	"	£35	2	0	4s.
"	£35	2	0	"	"	£37	14	0	3s.
"	£37	14	0	"	"	£40	6	0	2s.
"	£40	6	0	"	"	£42	18	0	1s.
"	£42	18	0.	No pension.					

QUERTIER LE PELLEY,

Greffier du Roi.