

# ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

## **The Non-Contributory Pensions (Guernsey) Law, 1955.**

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(Registered on the Records of the Island of Guernsey  
on the 27th day of August, 1955.)

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1955.

**XX**

**1955**

# ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 27th day of August, 1955, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :— Sir John Leale, Arthur Falla, Walter John Sarre, William Robert Freake Clark, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx, Esquire, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez and Bertram Guy Blampied, Esquires, Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 29th day of July, 1955, ratifying a *Projet de Loi* entitled "The Non-Contributory Pensions (Guernsey) Law, 1955",—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

# At the Court at Goodwood House,

The 29th day of July, 1955.

PRESENT,

## The Queen's Most Excellent Majesty.

LORD PRESIDENT

MARQUESS OF READING

CHANCELLOR OF THE DUCHY OF LANCASTER

SIR DAVID ECCLES

SIR MICHAEL ADEANE

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 12th day of July, 1955, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

1. That, in pursuance of their Resolution of the 3rd day of March, 1954, the States of Deliberation at a meeting held on the 22nd day of June, 1955, approved a Bill or “Projet de Loi” entitled “The Non-Contributory Pensions (Guernsey) Law, 1955,” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey

entitled "The Non-Contributory Pensions (Guernsey) Law, 1955," and to order that the same shall have the force of Law in the Islands of Guernsey, Herm and Jethou.'

"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."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her 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 Islands of Guernsey, Herm and Jethou.

AND HER 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 and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her 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.

W. G. AGNEW.



Projet de Loi referred to in the foregoing  
Order in Council.

## PROJET DE LOI

ENTITLED

### **The Non-Contributory Pensions (Guernsey) Law, 1955.**

*Arrangement of Sections*

*Section  
No.*

#### PART I

*Determination of need for a pension*

1. Right to receive pension.
2. Persons to whom the Law applies.
3. Determination of need for a pension.
4. Aggregation of requirements and resources.

#### PART II

*Payment of pensions and provision of welfare  
arrangements by the Authority*

5. Payment of pensions.
6. Special payments.
7. Security for pension.
8. Disqualification for a pension.
9. Payment of pensions in kind.
10. Prevention of duplication of payments.
11. Welfare arrangements for handicapped persons.
12. Voluntary organisations for welfare of handicapped persons.

Section  
No.

### PART III

#### *Appeals*

13. Appeals.

### PART IV

#### *General and Supplemental*

14. Ordinance-making power.
15. Limitation on payment of pensions.
16. Recovery of cost of a pension from persons liable for maintenance.
17. Affiliation orders.
18. Appeals against Authority decisions.
19. Duplication with assistance from Public Assistance Authority.
20. Duplication with Pensions Laws.
21. Recovery in cases of misrepresentation or non-disclosure.
22. Failure to maintain.
23. False statements.
24. Instruments made or issued by the Authority.
25. Stamp Duty.
26. Expenses.
27. Interpretation.
28. Repeals.
29. Savings.
30. Citation.

# PROJET DE LOI

ENTITLED

## **The Non-Contributory Pensions (Guernsey) Law, 1955.**

THE STATES, in pursuance of their resolution of the 3rd day of March, 1954, 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, Herm and Jethou.

### PART I

#### *Determination of need for a pension*

1. A person to whom this Law applies whose resources are insufficient to meet his requirements and who applies to the Administrator in the prescribed manner shall be entitled to a pension under and in accordance with the provisions of this Law (hereinafter referred to as "a pension").

Right to  
receive  
pension.

2. (1) This Law shall apply to a person who is ordinarily resident in Guernsey and is—

Persons to  
whom the  
Law applies.

- (a) a handicapped person;
- (b) a person who has attained school-leaving age and who has suffered a loss of income in order to undergo treatment for tuberculosis of the respiratory system;
- (c) a person who has attained school-leaving age and who is temporarily incapacitated by illness or injury when such person has been so incapacitated for a continuous period of



six months, periods during which he is not so incapacitated which amount in the aggregate to not more than four weeks being disregarded;

- (d) a woman who has attained the age of sixty years;
- (e) a widow who is incapable of supporting herself by reason of physical or mental infirmity and is likely to remain so incapable for a prolonged period;
- (f) a handicapped woman;
- (g) a man who has attained the age of seventy years.

(2) Notwithstanding the provisions of the last preceding subsection this Law shall not apply to a person unless—

- (i) that person or the spouse of that person was born in Guernsey, or
- (ii) that person has been ordinarily resident in Guernsey for a period amounting in the aggregate to at least two hundred and sixty weeks during the six years immediately preceding the date of his application for a pension.

(3) Nothing in the last preceding subsection shall apply to a widow whose late husband, or a handicapped woman whose husband or late or former husband, as the case may be, was born in Guernsey.

(4) For the purposes of this section the following expressions have the meanings hereby respectively assigned to them—

“handicapped woman” means a widow who is wholly or partly maintaining a child being a member of the same household and includes a woman who is wholly or partly maintaining a child being a member of the same household

and whose marriage has been dissolved by divorce and who has not remarried or who is judicially separated from, or who is deserted by, her husband;

“child” means a person who would be treated as a child for the purpose of the Family Allowances (Guernsey) Law, 1950.

(5) The States may, from time to time, by Ordinance vary the classes of persons to whom this Law applies.

3. (1) The question whether an applicant for a pension is a person to whom this Law applies, whether a person to whom this Law applies is in need of a pension, and the amount of any such pension to be paid to him, shall, subject to the provisions of this Law or of any Ordinance made hereunder, be decided by the Administrator. Determination of need for a pension.

(2) The States shall, from time to time, make provision by Ordinance for the computation of requirements and resources for the purposes of this Law.

(3) An Ordinance made under the provisions of this section may make different provisions for the different classes of persons to whom this Law applies and may make different provisions for different categories of persons within those classes.

(4) An Ordinance made under the provisions of this section may provide that certain assets set out therein shall, to the extent and subject to the conditions set out therein, be disregarded in computing resources.

4. (1) Where it appears to the Administrator that an applicant for a pension is providing for the requirements of some other person being a member of the same household, the Administrator shall, subject to Aggregation of requirements and resources.

the provisions of this Law, in determining the need for and the amount of a pension take into account the aggregate requirements and aggregate resources of the applicant and the said other person.

(2) Where in determining the amount of a pension to be paid to an applicant therefor the requirements of another person are taken into account, that other person is in this Law referred to as a dependant of the applicant.

(3) Where a husband and wife are members of the same household, their requirements and resources shall in all cases be aggregated for the purposes of this Law.

(4) Notwithstanding anything in the foregoing provisions of this section the Authority may direct the Administrator that, in determining the need for and the amount of a pension to be paid to an applicant therefor, he shall not treat as a dependant of that applicant any person who has attained school-leaving age.

(5) An Ordinance made under the provisions of section three of this Law shall include provisions for securing, in the case of a person being a member of a household,—

- (a) that the resources of any other member of the household, not being the husband or wife, or a dependant, of the said person, shall not be treated as resources of the said person;
- (b) that if he is the householder his resources shall, unless exceptional circumstances are shown, be deemed to include contributions at the prescribed rate towards the expenses of the household from members thereof who are not dependants of his.

## PART II

*Payment of pensions and provision of welfare arrangements by the Authority*

5. (1) Subject to the provisions of this Part of this Law, the Authority shall be charged with the duty of paying a pension by weekly or other periodic payments of the amount determined by the Administrator or by the tribunal, as the case may be, under the provisions of this Law or of any Ordinance made hereunder. Payment of pensions.

(2) Where it appears to the Authority that it is necessary for protecting the interests of an applicant for a pension or of his dependants that the whole or any part of the pension should be paid to some person other than the applicant, the Authority may pay the pension accordingly.

(3) Every assignment of, attachment of or charge on, and every agreement to assign or charge, a pension shall be void.

(4) Any sums received by any person by way of a pension shall not be included in calculating his means for the purpose of Article III of the Law entitled "Loi ayant rapport aux Débiteurs et à la Renonciation" registered on the Records of this Island on the 2nd day of August, 1929.

6. (1) The Authority may make a grant in money by way of a single payment to meet an exceptional need to a person to whom this Law applies whose resources are insufficient to meet his requirements; such payment being such a sum as is in the opinion of the Authority reasonable having regard to all the circumstances of the case. Special payments.

(2) The provisions of this Law, other than this section, shall apply to a payment made in accordance with the provisions of the last preceding subsection,

as they apply to the payment of a pension but with the substitution for references to the amount of the pension of references to the amount of the payment.

Security for  
pension.

7. Where a person, being an applicant for or in receipt of a pension, is, or that person's spouse being a member of the same household is, or the foregoing persons jointly are, or one of them if he survives the other, will be, entitled to an estate of inheritance in realty whereof the value falls to be disregarded under any Ordinance made in pursuance of section three of this Law then, notwithstanding anything in this Law or in that Ordinance, the Authority may, if in the circumstances of the case it appears just to the Authority so to do, direct that a pension shall not be granted or shall not thenceforth be payable otherwise than by way of interest-free loan whereof repayment is secured by charge given in favour of the States.

Disqualifi-  
cation for a  
pension.

8. (1) The Authority may direct the Administrator not to proceed with the determination of the question whether a person is in need of a pension and the amount of any pension to be paid to him or may withhold the payment of a pension to a person if it is of opinion that that person's need of a pension is the result of incapacity due to his own misconduct or that that person has failed without good cause to take steps to improve his physical or mental condition or has refused or neglected to apply for or to take steps to enforce any matrimonial order or affiliation order which that person is entitled to apply for or to take steps to enforce or has refused or neglected to take such other steps towards the improvement of his financial circumstances as the Authority may reasonably direct.

(2) A pension shall not be paid to a person when that person is absent from Guernsey, save that when

a person is absent from Guernsey as a result of arrangements made by the Authority under the provisions of section eleven of this Law he may, at the discretion of the Authority, be paid a pension for so long as, and subject to such conditions as, the Authority may direct.

9. (1) Where it appears to the Authority that by reason of special circumstances the requirements of an applicant for a pension or of a person who is receiving a pension can best be met by the giving of assistance in kind to the value of the whole or part of the pension, the Authority may so give that assistance instead of paying a pension.

Payment of pensions in kind.

(2) References in this Part of this Law to the giving of assistance in kind under the provisions of the last preceding subsection include references to the issuing of orders for the free provision of goods or services.

(3) The provisions of this Law other than this section shall apply to assistance given in accordance with the provisions of the last two preceding subsections as they apply to the payment of a pension but with the substitution for references to the amount of the pension of references to the value of the assistance.

10. (1) Where payments in respect of benefits payable under the Contributory Pensions Laws, 1935 to 1953, are in arrears for any period and a pension has been paid for that period by reference to the requirements of the person to whom the payments are due, the payments may, at the discretion of the Authority, be abated to the extent to which the actual amount of that pension exceeds what would have been its amount, if the said payments had not fallen into arrears.

Prevention of duplication of payments.

(2) Where the liabilities of the Income and Expenditure Account set up in accordance with the provisions of the Contributory Pensions Law, 1935, are reduced by virtue of the last foregoing subsection, there shall be paid out of that Account into the States General Account an amount equal to the reduction.

Welfare  
arrange-  
ments for  
handicapped  
persons.

11. (1) The Authority shall have power to make such arrangements as it may deem necessary or expedient for promoting the welfare of handicapped persons, and for that purpose it shall not be necessary that any such person shall be in receipt of a pension.

(2) Nothing in section two shall be taken to prevent the Authority making such arrangements as aforesaid in respect of a handicapped person.

(3) Without prejudice to the generality of the provisions of subsection (1) of this section, arrangements may, in particular, be made thereunder—

- (a) for enabling handicapped persons to receive instruction in their homes or elsewhere in methods of overcoming their disabilities,
- (b) for finding suitable work for handicapped persons,
- (c) for aiding handicapped persons to dispose of the result of their work,
- (d) for providing handicapped persons with medical or surgical assistance and medical or surgical requisites necessary to relieve or remove their disability.

(4) The Authority may pay an inducement allowance of such amount and subject to such conditions as the Authority may determine to a handicapped person or to his employer for the purpose of encouraging that person to train for, obtain and remain in, suitable employment.

(5) The Authority may recover from persons availing themselves of any service provided under this section such charge (if any) as, having regard to the cost of the service, the Authority may determine, whether generally or in the circumstances of any particular case.

12. The Authority may employ as their agent for the purpose of helping and caring for handicapped persons any voluntary organisation.

Voluntary  
organisa-  
tions for  
welfare of  
handicapped  
persons.

### PART III

#### *Appeals*

13. (1) Where a person applying for, or in receipt of, a pension is aggrieved by a decision of the Administrator with respect to any of the following matters, that is to say—

Appeals.

- (a) a decision of the Administrator that that person is not a person to whom this Law applies,
- (b) a decision of the Administrator that that person is not in need of a pension,
- (c) a decision of the Administrator as to the amount of any pension to be paid to him,

he may appeal, within the time prescribed, to a tribunal (hereinafter referred to as "the tribunal") which shall be appointed by the Royal Court either generally or in respect of a particular appeal and shall be constituted as the Royal Court may decide.

(2) The tribunal may refer to the Royal Court for decision any question of law arising in connection with the determination of an appeal by the tribunal under this section in such manner and within such period as shall be directed by Order of the Royal Court.



(3) Any person aggrieved by a decision of the tribunal on any question of law may appeal from that decision to the Royal Court in such manner and within such period as shall be directed by Order of the Royal Court.

(4) The decision of the Administrator or the tribunal, as the case may be, on any question in respect of which there has been no appeal under this section, within the time so prescribed or directed by Order of the Royal Court, as the case may be, shall be final and conclusive.

## PART IV

### *General and Supplemental*

Ordinance—  
making  
power.

14. The States may, from time to time, by Ordinance make such provisions as they may deem necessary or expedient for the purposes of carrying Parts I, II and III of this Law into effect and in such Ordinance may, without prejudice to the generality of the foregoing, in particular provide—

- (a) for the manner in which an application for a pension is to be made,
- (b) for the evidence to be adduced of matters relevant to the paying of a pension and for the manner of the adduction of such evidence,
- (c) for the procedure to be followed on the consideration and determination of applications and matters to be considered and determined by the Administrator or by the tribunal,
- (d) for the manner in which any question may be raised as to the continuance of the receipt by a person of a pension and as to the

disqualification of a person to continue to receive a pension,

- (e) for enabling the Administrator to appoint a person to exercise on behalf of any person applying for a pension or on behalf of any person receiving a pension who is by reason of any mental or other incapacity unable to act, any right to which that applicant or person receiving a pension may be entitled under this Law, and to authorise any person so appointed to receive on behalf and for the benefit of that applicant or person receiving a pension, any pension,
- (f) for the time to be allowed for making an appeal to the tribunal,
- (g) for the manner in which a pension is to be paid,
- (h) for any matter ancillary to the matters set out in paragraphs (a) to (g), both inclusive, of this section.

15. A sum shall not be paid on account of a pension if payment of the sum is not obtained within three months after the date on which it became payable.

Limitation on payment of pensions.

16. (1) Where a pension is paid or applied for by reference to the requirements of any person (in this section referred to as "a pensioned person"), the Authority may apply to the court for an order under the next succeeding subsection against any other person who is liable to maintain wholly or partly the pensioned person; an order as aforesaid shall not be made by the court unless the person against whom the order is sought has been served with notice of the Authority's intention to apply for such an order and has had an opportunity of being heard thereon.

Recovery of cost of a pension from persons liable for maintenance.

(2) On an application under the last preceding subsection the court shall have regard to all the circumstances and in particular to the resources of the defendant, and may order the defendant to pay such sum, weekly or otherwise, as the court may consider appropriate.

(3) For the purposes of the application of the last foregoing subsection to payments in respect of a pension paid before the application under the provisions of subsection (1) of this section was made, a person shall not be treated as having at the time when that application is heard any greater resources than he had at the time when the pension was paid.

(4) In this section the expression "the court" means the Magistrate's Court sitting as a Petty Debts Court.

(5) Payments under subsection (2) of this section shall be made—

- (a) to the Authority in respect of the cost of a pension, whether paid before or after the making of the order, or
- (b) to a pensioned person, or
- (c) to such other person as appears to the court expedient in the interests of the pensioned person,

or as to part in one such manner and as to part in another, as may be provided by the order.

Affiliation  
orders.

17. (1) The following provisions of this section shall have effect where a pension is paid under the provisions of this Law by reference to the requirements of an illegitimate child and the provisions of the last foregoing section shall not apply in relation to the father of the child.

(2) If no affiliation order is in force the Authority may within one year from the date of the commencement of the payment of the pension make application to the Magistrate for a summons to be served under Article 1 of the Law entitled "Loi relative à l'entretien des enfants illégitimes, 1927" (hereinafter referred to as "the Illegitimacy Law").

(3) In any application under the provisions of the last preceding subsection the Magistrate shall hear such evidence as the Authority may produce in addition to the evidence required by him under Article 2 of the Illegitimacy Law and shall in all other respects, but subject to the provisions of the next succeeding subsection, proceed as on an application made by the mother under the said Article 1.

(4) An order made under Article 2 of the Illegitimacy Law may, on an application under subsection (2) of this section, be made so as to provide that the payments or a part of the payments to be made thereunder shall, in lieu of being made to the mother or a person appointed to have the custody of the child, be made to the Authority or to such other person as the Magistrate may direct.

(5) On an application by the Authority in any proceedings under the said Article 1 brought by the mother of the child an order under the said Article 2 may be made so as to provide as aforesaid.

(6) An order made under the said Article 2, whether made before or after the commencement of this Law may, on the application of the Authority, be varied so as to provide as aforesaid; and any order under the said Article 2 which provides as aforesaid may on the application of the mother of the child be varied so as to provide that the payments thereunder shall be made to the mother or a person appointed to have the custody of the child.

Appeals  
against  
Authority  
decisions

18. There shall be no appeal from any direction, determination, or decision of the Authority made under any of the provisions of this Law or of any Ordinance made hereunder.

Duplication  
with assist-  
ance from  
Public  
Assistance  
Authority.

19. (1) A person who applies for or obtains, or attempts to apply for or obtain, assistance under and by virtue of the Public Assistance Law, 1937, without disclosing that he is receiving a pension or any person who applies for or obtains, or attempts to apply for or obtain, a pension without disclosing that he is receiving assistance under and by virtue of the Public Assistance Law, 1937, shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten pounds or to a term of imprisonment not exceeding one month or to both such fine and such term of imprisonment.

(2) The amount of any assistance under and by virtue of the provisions of the Public Assistance Law, 1937, or of a pension obtained by any person in contravention of the last preceding subsection may be recovered by the Public Assistance Authority or by the Authority, as the case may be, as a civil debt.

Duplication  
with Pen-  
sions Laws.

20. In calculating the means of a person for the purpose of the Pensions Laws in so far as they continue to have effect, no account shall be taken of a pension.

Recovery in  
cases of  
misrepres-  
entation or  
non-dis-  
closure.

21. If, whether fraudulently or otherwise, any person misrepresents or fails to disclose any material fact, and in consequence of the misrepresentation or failure—

- (a) the Authority incurs any expenditure under any of the provisions of this Law; or
- (b) any sum recoverable under this Law by the Authority is not recovered,

the Authority shall be entitled to recover the amount thereof from the said person as a civil debt.

22. (1) Where a person persistently refuses or neglects to maintain any person whom he is liable to maintain and in consequence of his refusal or neglect a pension under the provisions of this Law is paid to any other person, he shall be guilty of an offence. Failure to maintain.

(2) A person guilty of an offence under this section shall be liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such term of imprisonment.

23. If any person—

- (a) for the purpose of obtaining, either for himself or for another person, any pension under Part II of this Law; or
- (b) for the purpose of avoiding or reducing any liability under this Law,

False statements.

makes any statement or representation which he knows to be false in a material particular or fails to disclose anything which he is required to disclose under this Law or any Ordinance made thereunder, he shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and such term of imprisonment.

24. (1) Every document purporting to be an instrument made or issued by the Authority and to be signed by any person authorised by the Authority shall be received in evidence and be deemed to be so made or issued without further proof unless the contrary is shown. Instruments made or issued by the Authority.

(2) A certificate signed by the President of the Authority on behalf of that Authority that an instrument purporting to be made or issued by it was so made or issued shall be conclusive evidence of that fact.

**Stamp Duty**      25. Stamp Duty shall not be chargeable on any receipt for a pension or an inducement allowance.

**Expenses.**      26. Subject to the provisions of this Law, any expense incurred by the Authority in carrying out their functions under any of the provisions of this Law shall be paid for out of monies provided by the States.

**Interpretation.**      27. (1) In this Law, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“Administrator” means the Administrator to the Authority;

“affiliation order” means an order made under Article 2 of the Illegitimacy Law;

“Authority” means the States Insurance Authority;

“blind person” means a person so blind as to be unable to perform any work for which eyesight is essential;

“dependant” has the meaning assigned to it by section four of this Law;

“disability” includes mental as well as physical disability;

“functions” includes powers and duties;

“Guernsey” includes the Islands of Herm and Jethou;

“handicapped person” means a person who has attained school-leaving age and who is blind,

deaf or dumb and any other person who has attained that age and who is substantially and permanently handicapped by illness, injury or congenital deformity;

“matrimonial order” means an order for the payment of a weekly sum to an applicant personally or for her use or the use of herself and her children to a third person on her behalf under the provisions of the Law entitled “Loi relative à la Séparation de Mariés en Police Correctionnelle” registered on the Records of this Island on the 21st day of August, 1930, and includes an order made under Article 43 or Article 47 of the Matrimonial Causes Law (Guernsey) 1939, and a separation agreement sanctioned by the Royal Court;

“the Pensions Laws” means the Old Age and Blindness Pensions (Guernsey) Laws, 1950 and 1951;

“the Pensions tribunal” means the tribunal appointed under and by virtue of section eight of the Old Age and Blindness Pensions (Guernsey) Law, 1950;

“prescribed” means prescribed by Ordinance under this Law;

“school-leaving age” means the age below which education is compulsory by law;

“voluntary organisation” means a body the activities of which are carried on otherwise than for profit.

(2) References in this Law to any enactment shall, except where the context otherwise requires, be construed as references to that enactment as amended by or under any enactment, including this Law.



Repeals. 28. The Pensions Laws shall be repealed on such date as the States may by Ordinance appoint.

Savings. 29. (1) Notwithstanding the provisions of the last preceding section nothing in this Law contained shall, subject to the provisions of the next succeeding subsection, be taken to affect the operation of the Pensions Laws in relation to any person who at the date of the repeal of those Laws is in receipt of any pension thereunder.

(2) Any person who, but for the repeal of the Pensions Laws would have had a right of appeal from a decision of the Administrator or of the Pensions tribunal under the provisions of section eight of the Old Age and Blindness Pensions (Guernsey) Law, 1950, or of any regulations made thereunder shall continue to have such right save that any appeal from a decision of the Administrator shall be determined by the tribunal appointed under section thirteen of this Law, which tribunal for this purpose shall have all the powers and may perform all the duties of the Pensions tribunal under the provisions of the Pensions Laws.

Citation. 30. This Law may be cited as the Non-Contributory Pensions (Guernsey) Law, 1955.

JAMES E. LE PAGE,

Her Majesty's Greffier.