

# ORDER IN COUNCIL

I

ratifying a Projet de Loi

1962

ENTITLED

## **The Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961**

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(Registered on the Records of the Island of Guernsey  
on the 22nd day of January, 1962.)

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1962.

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 22nd day of January, 1962, before Frank Gahan, Esquire, Q.C., Lieutenant-Bailiff; present :—Sir John Leale, William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Carl Edward Blad and Albert Victor Dorey, Esquires, Jurats.*

The Lieutenant-Bailiff having this day placed before the Court an Order dated the 27th day of November, 1961, of the Counsellors of State in Council on behalf of Her Majesty, being authorised thereto by Letters Patent dated the 8th day of November, 1961, ratifying a *Projet de Loi* entitled "The Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961",—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 of Saint James,**

The 27th day of November, 1961.

PRESENT,

**Her Majesty Queen Elizabeth The Queen Mother,**

**Her Royal Highness the Princess Margaret,  
Countess of Snowdon.**

LORD PRESIDENT

EARL OF PERTH

LORD CARRINGTON

MR. SECRETARY AMERY

WHEREAS Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the eighth day of November, 1961, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, Countess of Snowdon, His Royal Highness The Duke of Gloucester, His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND WHEREAS Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip, Duke of

Edinburgh, and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

And 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 21st day of November, 1961, 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 5th day of July, 1961, the States of Deliberation at a meeting held on the 20th September, 1961, approved a Bill or “Projet de Loi” entitled “The Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961” 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 Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961” 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."

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorized thereto by the said Letters Patent, have taken the said Report into consideration, and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf approve of and ratify the said Projet de Loi, and order, as it is hereby ordered, that the same shall have the force of Law within the Islands of Guernsey, Herm and Jethou.

And do 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 Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961**

THE STATES, in pursuance of their Resolution of the fifth day of July, nineteen hundred and sixty-one, 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.

1. (1) In this Law the expression "the Pensions Laws" means the Contributory Pensions Laws, 1935 to 1958, and the expression "the States" means the States of Guernsey.

Interpreta-  
tion of  
this Law  
and of the  
Pensions  
Laws.

(2) Except where the context otherwise requires, any reference in the Pensions Laws or in any Ordinance made thereunder to any of those Laws or to any provision thereof shall be construed as a reference to such Law or to such provision, as the case may be, as amended by or under this Law.

2. (1) Notwithstanding anything contained in the Pensions Laws, the States may from time to time by Ordinance vary the provisions of the Pensions Laws—

Powers of  
the States  
to vary the  
provisions  
of the  
Pensions  
Laws by  
Ordinance.

- (a) as to the rates of contributions;
- (b) as to the rates of benefits;

- (c) as to the amount to be paid out of the General Revenue of the States into the Insurance Fund Account;
  - (d) so as to provide that benefits payable in respect of the death of any insured person, whether or not as the result of an accident, shall be payable in respect of any person who is a surviving dependant of that insured person and who is a person who would be treated as a child for the purposes of the Family Allowances (Guernsey) Law, 1950, as amended.
- (2) Any power conferred by this section to make any Ordinance may be exercised—
- (a) either in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified case or classes of cases; and
  - (b) so as to make, as respects the cases in relation to which it is exercised—
    - (i) the same provision for all cases in relation to which the power is exercised or different provision for different cases or classes of cases, or different provisions as respects the same case or class of case for different purposes;
    - (ii) any such provision either unconditionally or subject to any specified condition.
- (3) Any Ordinance made under this section may contain such incidental or supplementary provisions as appear to the States to be expedient for the purposes of the Ordinance.
- (4) Any power conferred by this section to make any Ordinance shall include the power to vary or

repeal any Ordinance so made by a subsequent Ordinance.

3. In Section 2 of Article XX of the Contributory Pensions Law, 1935, the words "the second column of" are hereby repealed.

Amendment  
of Article  
XX of  
the Law  
of 1935.

4. (1) This Law may be cited as the Contributory Pensions (Variation of Rates of Contributions and Benefits) (Guernsey) Law, 1961, and this Law and the Pensions Laws may be cited together as the Contributory Pensions (Guernsey) Laws, 1935 to 1961.

Citation and  
duration.

(2) This Law shall cease to have effect on the expiration of the five years next following the day on which it is registered on the Records of the Island of Guernsey.

R. H. VIDELO,

Her Majesty's Greffier.