

# ORDER IN COUNCIL

IV  
1947

Sanctioning a Projet de Loi entitled

**“ The Contributory Pensions Law, 1935,  
Amendment Law, 1947 ”.**

(Registered on the Records of the Island of Guernsey the  
29th March, 1947).



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1947.

## ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 29th March, 1947, before Ambrose James Sherwill, Esquire, C.B.E., M.C., Bailiff; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., James Frederick Carey, Esquire, Sir Abraham James Lainé, K.C.I.E., Arthur Falla, Pierre de Putron, Quartier Le Pelley, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., and William Robert Freake Clark, Esquire, Jurats.*

The Bailiff having this day placed before the Court an Order of His Majesty in Council dated March 10th, 1947, ratifying a *Projet de Loi* entitled "The Contributory Pensions Law, 1935, Amendment Law, 1947". The Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur, 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 10th day of March 1947.

#### **Present,**

HIS ROYAL HIGHNESS THE DUKE OF GLOUCESTER.  
VISCOUNT LASCELLES.

LORD PRIVY SEAL.

LORD PETHICK-LAWRENCE.

VISCOUNT MOUNTBATTEN OF BURMA.

MR. SECRETARY CREECH-JONES.

MR. SECRETARY NOEL-BAKER.

WHEREAS His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by  
THE 29th MARCH, 1947.

Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom to summon and hold on His Majesty's behalf His Privy Council and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required :

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 26th day of February, 1947, in the words following, viz :—

"YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

1.—That in accordance with a resolution of the States of Deliberation of the 21st day of August, 1946, the Royal Court, at a sitting held on the 16th day of November, 1946, adopted a Bill or "Projet de Loi" entitled "The Contributory Pensions Law, 1935, Amendment Law, 1947," and requested the Bailiff to submit the same to the States for approval. 2.—That at a sitting of the States held on the 27th day of December, 1946, the said Bill or "Projet de Loi" was duly considered, when a resolution was passed approving the same with amendments and authorising the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3.—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 would be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Contributory Pensions Law, 1935, Amendment Law, 1947", and to order and direct that the same shall have 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, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorised thereto by the said Letters Patent, have taken the said Report into consideration, and do hereby, by and with the advice of His Majesty's Privy Council, on His 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 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.

*E. C. E. Leadbitter.*

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

## PROJET DE LOI

ENTITLED

### **"The Contributory Pensions Law, 1935, Amendment Law, 1947"**

The States have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council shall have force of law in the islands of Guernsey, Herm and Jethou.

1.—The Contributory Pensions Law, 1935, (hereinafter referred to as "the principal Law") shall have effect henceforth subject to the following modifications:—

- (1) The figures "£6" shall be substituted for the figures "£4" in the definition of the expression "Worker" contained in Article I of the principal Law.
- (2) The figures "£6" shall be substituted for the figures "£4" in Article VII and Article VIII of the principal Law.
- (3) The word "workers" shall be substituted for the words "compulsory contributors" wherever the latter words appear in paragraph (b) of section 2 of Article III of the principal Law.

2.—If any person who, having perviously been a compulsorily insured worker under the principal Law, shall have ceased, after the 13th day of April, 1946, to be a worker solely by reason of the fact that his usual earnings, though not exceeding £6 per week, have exceeded the weekly amount which was, immediately prior to the date on which this Law comes into force, prescribed in the definition of the expression "worker" contained in the principal

Law, shall pay to the Administrator within forty days after the date on which this Law comes into force, a sum equal to the unpaid amount of the contributions which would have been payable by him had he become a voluntary contributor immediately upon such cessation (or, if he shall have so ceased on more than one occasion, upon the first occasion of cessation) and had thereafter, (save as respects any periods during which he again became a compulsorily insured worker) remained a voluntary contributor until the time of the making of the said payment to the Administrator, such person shall be deemed to have been an insured person continuously from the time of such cessation or first cessation, as the case may be, until the time of the making of the said payment to the Administrator.

Nothing in this section shall be construed as limiting the obligation of the States to pay, in accordance with the provisions of sub-section (d) of section 2 of Article V of the principal Law, the States' contributions in respect of any such person still entitled to become a voluntary contributor under the provisions of sub-section (b) of section 2 of Article III of the principal Law during the time in which he is entitled to become a voluntary contributor.

3.—This Law shall come into force on the day of its registration on the records of the Island of Guernsey and shall be construed as one with the principal Law.

4.—The Contributory Pensions Laws, 1935 to 1938, the Contributory Pensions (Emergency Provisions) Law, Guernsey, 1939, the Contributory Pensions Law, 1935, Amendment Law, 1945, and this Law may be cited together as "The Contributory Pensions Laws 1935 to 1947".

PETER J. MAUGER,

H.M. Greffier.