1952 No. 1597

The Family Allowances (Guernsey Reciprocal Arrangements) Regulations, 1952

Made - - - -	28*th August*, 1952
Laid before Parliament	29*th August*, 1952
Coming into Operation	2*nd September*, 1952

M.N.I. 233.

The Minister of National Insurance, acting in conjunction with the Treasury, in exercise of the powers conferred by Section 25 of the Family Allowances Act, 1945(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Family Allowances (Guernsey Reciprocal Arrangements) Regulations, 1952, and shall come into operation on the 2nd September, 1952.

(2) Words and expressions in these regulations shall have the same meanings as in the Memorandum of Reciprocal Arrangements set out in the Schedule hereto.

(3) References in these regulations to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The provisions contained in the Memorandum of Reciprocal Arrangements set out in the Schedule hereto shall have full force and effect so far as the same relate to Great Britain, and the Family Allowances Acts, 1945 and 1952(c), shall have effect subject to such modifications and adaptations of the provisions thereof as may be requisite for giving effect to the provisions contained in the said Memorandum or in consequence thereof.

3. The Minister of National Insurance, with the consent of the Treasury, may make such financial adjustments as he and the States Insurance Authority in Guernsey may agree to be necessary in consequence of the provisions contained in the said Memorandum.

Dated this 28th day of August, 1952.

Osbert Peake,
Minister of National Insurance.

Dated this 28th day of August, 1952.

Dennis Vosper,
Hendrie D. Oakshott,
Two of the Lords Commissioners of Her Majesty's Treasury.

THE SCHEDULE

MEMORANDUM OF RECIPROCAL ARRANGEMENTS relating to Family Allowances made between the Minister of National Insurance, with the consent of the Treasury, of the one part, and the States Insurance Authority, with the consent of the States of Guernsey, of the other part.

1.—(1) This Memorandum is supplementary to and shall be read as one with the Memorandum of Reciprocal Arrangements relating to Family Allowances dated the 14th day of June 1951(d) and made between the parties to this Memorandum.

(a) 8 & 9 Geo. 6. c. 41.
(b) 52 & 53 Vict. c. 63.
(c) 15 & 16 Geo. 6. & 1 Eliz. 2. c. 29.
(d) *See* S.I. 1951/1101; 1951 I, p. 684.

(2) In this Memorandum, unless the context otherwise requires—

"the principal Memorandum" means the said Memorandum dated the 14th day of June, 1951;

"the Great Britain Acts" means the Family Allowances Acts, 1945 and 1952;

"the Guernsey Laws" means the Family Allowances (Guernsey) Laws, 1950 and 1951;

and other words and expressions shall have the same meanings as in the principal Memorandum.

(3) The arrangements set out in this Memorandum shall apply for the same purposes as the arrangements set out in the principal Memorandum and shall have effect as from the 2nd day of September, 1952.

2. So long as the rate of an allowance under the Great Britain Acts exceeds the rate of an allowance under the Guernsey Laws, an allowance under the Great Britain Acts which would, but for the provisions of the principal Memorandum, be paid in respect of a child as being included in a family, may, notwithstanding those provisions, be paid in respect of that child: Provided that where in accordance with the provisions of the principal Memorandum an allowance under the Guernsey Laws has been paid for any week in respect of any such child, the rate at which any allowance under the Great Britain Acts shall be payable for that week shall not exceed the difference between the respective rates of allowance under the Great Britain Acts and the Guernsey Laws.

Given under the official seal of the Minister of National Insurance this 26th day of August, 1952.

(L.S.)

Osbert Peake,
Minister of National Insurance.

We consent

Dennis Vosper,
Hendrie D. Oakshott,
Two of the Lords Commissioners of Her Majesty's Treasury.

Signed on behalf of the States Insurance Authority this 26th day of August, 1952, and authorised by Resolution of the States dated the 28th day of March, 1951.

Wilfred J. Corbet,
President
States Insurance Authority.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations give effect in Great Britain to Reciprocal Arrangements (set out in the Schedule) made between the Minister of National Insurance and the States Authority in Guernsey which are supplementary to the principal Reciprocal Arrangements relating to Family Allowances made between the same parties the 14th June, 1951 (see S.I. 1951/1101), and provide that so long as the rate of allowances under the Family Allowances Acts, 1945 and 1952, exceeds the rate of allowances under the Guernsey Laws, allowances shall be paid at the higher rate under the Great Britain Acts if they would have been so payable had they not become payable under the Guernsey Laws by reason of the principal Reciprocal Arrangements.

1952 No. 1999

The Family Allowances (Qualifications) Amendment Regulations, 1952

Made - - - -	17*th November*, 1952
Laid before Parliament	18*th November*, 1952
Coming into Operation	21*st November*, 1952

M.N.I. 235.

The Minister of National Insurance, in conjunction with the Treasury so far as relates to matters with respect to which the Treasury has so directed, in exercise of the powers conferred on him by Section 24 of the Family Allowances Act, 1945(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances (Qualifications) Amendment Regulations, 1952, shall be read as one with the Family Allowances (Qualifications) Regulations, 1946(b), as amended(c) (hereinafter referred to as "the principal regulations") and shall come into operation on the 21st November, 1952.

Amendment of regulation 1 *of the principal regulations*

2. In paragraph (2) of regulation 1 of the principal regulations (which paragraph contains definitions) the word "and" following the words "'a member of the Forces'" shall be omitted, and after the words "'a merchant seaman'" there shall be inserted the words "'a British protected person' and 'a person under treatment'".

Amendment of regulation 2 *of the principal regulations*

3.—(1) Regulation 2 of the principal regulations (which regulation specifies the requirements as to nationality, residence, etc. for the family of a man and his wife living together) shall be amended in accordance with the following provisions of this regulation.

(2) Paragraphs (2) and (4) of the said regulation 2 shall be omitted.

(3) In paragraph (3) of the said regulation 2, after the words "that the man or the wife is a British subject", there shall be inserted the words "or a British protected person".

Amendment of regulation 3 *of the principal regulations*

4.—(1) Regulation 3 of the principal regulations (which regulation specifies the requirements as to nationality, residence, etc. for the family of a man not having a wife or not living together with his wife) shall be amended in accordance with the following provision of this regulation.

(2) In paragraph (1) of the said regulation 3, after the words "that he is at that date a British subject", there shall be inserted the words "or a British protected person".

Amendment of regulation 4 *of the principal regulations*

5.—(1) Regulation 4 of the principal regulations (which regulation specifies the requirements as to nationality, residence, etc. for the family of a woman not having a husband or not living together with her husband) shall be amended in accordance with the following provisions of this regulation.

(2) Paragraphs (1) and (3) of the said regulation 4 shall be omitted.

(a) 8 & 9 Geo. 6. c. 41. (b) S.R. & O. 1946/138; Rev. VII, p. 607; 1946 I, p. 502.
(c) S.I. 1952/1457, p. 996 above.

(3) In paragraph (2) of the said regulation 4, after the words "that she is a British subject", there shall be inserted the words "or a British protected person".

Revocation of regulation 5 *of the principal regulations*

6. Regulation 5 of the principal regulations (which regulation prescribes special requirements for all families relating to circumstances arising out of a particular emergency) shall cease to have effect.

Amendment of regulations 9 *and* 10 *of the principal regulations*

7. In regulations 9 and 10 of the principal regulations (which regulations prescribe rules for determining whether presence in or absence from Great Britain is or is not to be treated as temporary) before the words "a merchant seaman" wherever they occur the word "or" shall be omitted and after the said words wherever they occur there shall be inserted the words "or a person under treatment".

Amendment of the schedule to the principal regulations

8. At the end of the Schedule to the principal regulations (in which schedule meanings are assigned to certain expressions for the purposes of the said regulations) there shall be added the following paragraphs:—

"3. For the purposes of these regulations the expression 'a British protected person' means a British protected person within the meaning of the British Nationality Act, 1948(a).

4. For the purposes of these regulations the expression 'a person under treatment' means a person whose absence from Great Britain is temporary and shown to the satisfaction of the Minister to be for the specific purpose of being treated for incapacity which commenced before he left Great Britain".

Dated this 14th day of November, 1952.

Osbert Peake,
Minister of National Insurance.

Dated this 17th day of November, 1952.

Dennis Vosper,
T. G. D. Galbraith,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Family Allowances (Qualifications) Regulations, 1946, so as to place British protected persons within the meaning of the British Nationality Act, 1948, on the same footing as British subjects for the purpose of fulfilling requirements as to nationality and residence, and so as to provide that persons temporarily absent abroad for the purpose of receiving treatment are to be treated as though they were present for the purposes of Section 24 (2) of the Family Allowances Act, 1945, under which presence in Great Britain is a condition for the right to an allowance. They also revoke certain provisions of the said regulations which are now of no effect.

(a) 11 & 12 Geo. 6. c. 56.