

1979 - No. 14

The Social Insurance (Contributions) (Amendment)
(No.2) (Guernsey) Regulations, 1979

Made 19th June, 1979
Laid before the States
Coming into operation 25th June, 1979

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by section six and section twenty of the Social Insurance (Guernsey) Law, 1978, and in exercise of all other powers enabling it in that behalf, hereby orders:-

Amendment of regulation eleven of the principal regulations

1. In paragraph (5) of regulation eleven of the Social Insurance (Contributions) (Guernsey) Regulations, 1978 (hereafter in these regulations referred to as "the principal regulations"), the words "and his relevant earnings for that year are" are hereby repealed and the words "and the earned income included in the assessable income of that person for the year of charge contemporaneous with the relevant contribution year is" are hereby substituted therefor.

Amendment of regulation fifty-eight of the principal regulations

2. (1) Paragraph (7) of regulation fifty-eight of the principal regulations is hereby repealed and the following paragraphs are hereby substituted therefor -

"(7) A primary Class 1 contribution in respect of the weekly or monthly earnings -

- (a) of an insured person who is under the age of eighteen, where those earnings are in respect of any full-time employed contributor's employment; or
- (b) of an insured person who is over the age of eighteen, where those earnings are in respect of any full-time employed contributor's employment under a contract of apprenticeship;

shall, notwithstanding that those earnings are below the current relevant lower earnings limit, be treated for the purposes of this Part of these regulations as if those earnings were above that limit:

Provided that this paragraph shall not apply in any case where the provisions of regulation fifty-nine or regulation sixty of these regulations apply.

(8) A primary Class 1 contribution in respect of the weekly or

monthly earnings of an insured person shall, notwithstanding that those earnings are below the current relevant lower earnings limit, be treated for the purposes of this Part of these regulations as if those earnings were above that limit where the Authority, on being satisfied that those earnings are below that limit by reason of the permanent bodily or mental disablement of that person, has made a direction in that behalf under this paragraph."

(2) Paragraph (8) of regulation fifty-eight of the principal regulations is hereby redesignated as paragraph (9) and for the words "the last foregoing paragraph" therein there are hereby substituted the words and figure in brackets "paragraph (7) of this regulation".

Amendment of regulation fifty-nine of the principal regulations

3. Immediately after paragraph (2) of regulation fifty-nine of the principal regulations there is hereby inserted the following paragraph -

"(3) Where a person -

- (a) is or has been employed in any employed contributor's employment in respect of which the earnings are normally paid monthly and are normally so paid in an amount exceeding the current lower monthly earnings limit; and
- (b) the earnings paid in any month in respect of such employment are less than the current lower monthly earnings limit (but exceed the current lower weekly earnings limit) by reason of the fact that he has not rendered services in that month in respect of that employment to the normal extent;

then the primary Class 1 contributions paid in respect of the earnings paid in that month shall, where a direction is made by or on behalf of the Authority under this paragraph, be reckoned as such number of Class 1 reckonable contributions paid by that person in respect of such weeks as shall be specified in that direction."

Repeal

4. Paragraph (9) of regulation forty-one of the principal regulations and paragraph (2) of regulation four of the Social Insurance (Contributions)(Amendment)(Guernsey) Regulations, 1979, are hereby repealed.

Citation and collective title.

5. (1) These regulations may be cited as the Social Insurance (Contributions) (Amendment) (No.2) (Guernsey) Regulations, 1979.

(2) These regulations, the principal regulations and the Social Insurance (Contributions) (Amendment) (Guernsey) Regulations, 1979, may be cited together as the Social Insurance (Contributions) (Guernsey) Regulations, 1978 to 1979.

Commencement

6. These regulations shall come into force on the twenty-fifth day of June , nineteen hundred and seventy-nine.

Dated this nineteenth day of June, nineteen hundred and seventy-nine.

(Sgd.) R.M. Chilcott

President of the States Insurance Authority
for and on behalf of the Authority.

EXPLANATORY NOTE

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

The main purpose of these regulations is to amend regulation fifty-eight of the principal regulations (that is to say, the Social Insurance (Contributions) (Guernsey) Regulations, 1978) so as to provide for the conversion of primary Class 1 contributions into reckonable contributions in the case of an insured person who is an apprentice over the age of eighteen and in the case of an insured person suffering from any permanent bodily or mental disablement notwithstanding that the earnings from which those contributions are derived are below the current relevant lower earnings limit (regulation two).

These regulations also amend regulation fifty-nine of the principal regulations so as to empower the Authority to direct that where a person receives monthly earnings in respect of any month in an amount less than the current lower monthly earnings limit (but in excess of the current lower weekly earnings limit) by reason of the termination at any time during that month of the employment in respect of which those earnings have been paid, the primary Class 1 contributions paid in respect of those earnings in that month shall be reckoned as such number of Class 1 reckonable contributions paid by that person in respect of such weeks as shall be specified in the direction of the Authority (regulation three). Regulation one of these regulations effects an amendment by way of a correction of paragraph (5) of regulation eleven of the principal regulations.