
GUERNSEY STATUTORY INSTRUMENT

2007 - No. 22

The Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2007

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|------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------------------|
| Made | ... | ... | ... | ... | ... | ... | ... | ... | ... | 3rd October 2007 |
| Laid before the States | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Coming into operation | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1st January 2008 |

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 1, 14, 15, 16 and 116 of the Social Insurance (Guernsey) Law, 1978, as amended¹, and of all other powers enabling it in that behalf, hereby orders:-

Amendments

1. In the Social Insurance (Classification) (Guernsey) Regulations, 1978, as amended² delete the full stop at the end of regulation 2(1)(c) and insert:

"; and

(d) every insured person who -

(i) in relation to a contribution week-

(aa) is an employed person under the Law in respect of that week, and

(bb) would fall within the class of self-employed persons, under the Law in respect of that same week, were he not also an employed person,

(ii) has earnings in respect of his employed contributor's employment which are less than the relevant annual upper earnings limit, and

(iii) has relevant earnings as a self employed person which are, in respect of any relevant year, equal to or greater than the product of the relevant lower earnings limit and fifty-two,

¹ Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; No. V of 1990; Nos. V and XII of 1993; Ordinance No. XIV of 1993; Ordres en Conseil No. V of 1994, Nos. VI and XIII of 1995; No. I of 1998; No. VI of 1999; No. X of 2000; No. IX of 2001; No XXIV of 2003; No. XI of 2004.

² S.I. 1978 No. 32; S.I. 1979 Nos. 5 and 28; S.I. 1988 No. 27; S.I. 1993 No. 25; S.I. 1994 No. 19; S.I. 1995 No. 30; S.I. 1999 No. 12; S.I. 2000 No. 5; S.I. 2000 No. 24; S.I. 2003 No. 39; S.I. 2004 No. 39; S.I. 2005 No. 19.

shall be treated, for the purposes of liability to pay contributions, as a person who is both an employed person and a self-employed person."

Interpretation

2. The Interpretation Guernsey Law, 1948³ shall apply to the interpretation of these Regulations as it applies to the interpretation of a Guernsey enactment.

Citation

3. These Regulations may be cited as the Social Insurance (Classification) (Amendment) Regulations, 2007.

Commencement

4. These Regulations shall come into force on 1st January 2008.

Dated this 3rd day of October 2007.

D. P. Le Cheminant

Daniel Le Cheminant
Deputy Minister of the Social Security Department
for and on behalf of the Department

EXPLANATORY NOTE

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

These Regulations amend the Social Insurance (Classification) (Guernsey) Regulations, 1978 to enable the Department to treat persons for classification purposes, in appropriate circumstances, as insured persons who are concurrently employed and self employed (whether or not in similar occupations).

³ Ordres en Conseil Vol. XIII, p.355.