

GUERNSEY STATUTORY INSTRUMENT

2011 No. 32

**The Social Insurance (Benefits) (Amendment) Regulations,
2011**

<i>Made</i>	<i>8th August, 2011</i>
<i>Coming into operation</i>	<i>8th August, 2011</i>
<i>Laid before the States</i>	<i>, 2011</i>

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 23(3) and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and of all other powers enabling it in that behalf, hereby orders:-

Amendment.

1. For regulation 40 of the Social Insurance (Benefits) Regulations, 2003, as amended^b, substitute -

"40. (1) For the purposes of section 24(3) of the Law, subject to paragraph (2), the earnings which are prescribed, are such earnings as are equal to or greater than 40 times the Young Persons' Minimum Wage Rate.

^a Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59; Vol. XXXIV, pp. 397 and 510; Vol. XXXV(1), p. 161; Vol. XXXVI, pp. 123 and 343; Vol. XXXVIII, p. 59; Vol. XXXIX, p. 107; Vol. XL, p. 351; Orders in Council No. IX of 2001; No XXIV of 2003; No. XI of 2004; No. XVIII of 2007; Ordinance No. XIV of 1993 (Tome XXVI, p. 177) and Ordinance No. XLII of 2009.

^b S.I. 2003 No. 37; S.I. 2004 No. 45; S.I. 2005 Nos. 43 and 47; S.I. 2006 Nos. 35 and 48, S.I. 2007 No. 44; S.I. 2008 No. 66; S.I. 2009 Nos. 37 and 93; S.I. 2010 No. 117.

(2) For the purposes of paragraph (1), there shall be disregarded any earnings derived from any training scheme funded by the States.

(3) For the purposes of paragraph (1), "the Young Persons' Minimum Wage Rate" means the rate prescribed from time to time under section 3(1) of the Minimum Wage (Guernsey) Law, 2009."

Interpretation.

2. (1) Except where the context otherwise requires, any reference in these Regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

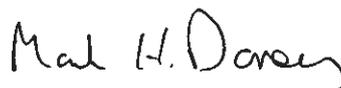
(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

Citation, commencement and extent.

3. (1) These Regulations may be cited as the Social Insurance (Benefits) (Amendment) Regulations, 2011 and shall come into force on the 8th August 2011.

(2) These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Dated this 8th day of August, 2011.


Mark H Dorey

Minister of the Social Security Department

for and on behalf of the Department

^c Orders en Conseil Vol. XIII, p. 355.

EXPLANATORY NOTE

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

Section 24(3) of the Social Insurance (Guernsey) Law, 1978 provides for the circumstances in which a person who has exhausted his right to unemployment benefit requalifies for that benefit. One of those circumstances is that where he has been in employment since the last day upon which he was entitled to unemployment benefit he has, in each week of employment, derived such earnings as may be prescribed by regulations of the Social Security Department.

These Regulations, by way of substitution of regulation 40, prescribe, for the purposes of section 24(3) of the Law, such earnings as are equal to or greater than 40 times the Young Persons' Minimum Wage Rate as prescribed under section 3(1) of the Minimum Wage (Guernsey) Law, 2009. They also provide that any earnings derived from training schemes funded by the States of Guernsey shall be disregarded.