

GUERNSEY STATUTORY INSTRUMENT

1974 - No. 37

The Social Insurance (Increase of Benefit and Miscellaneous Provisions)
(Guernsey) Regulations, 1974

Made *10th October 1974*

Laid before the States

Coming into operation *4th November 1974*

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by section twenty-three, section thirty-seven, section sixty-five, section seventy-two, section seventy-five, section seventy-six and section seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended, and of all other powers enabling it in that behalf, hereby orders:-

Interpretation

1.(1) In these regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:-

"the principal Law" means the Social Insurance (Guernsey) Law, 1964;
"the relevant day" means the fourth day of November, nineteen hundred and seventy-four;

and any other expressions have the same meanings as in the principal Law.

(2) 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be construed as including a reference to that enactment or those regulations, as the case may be, as amended, extended, repealed, replaced or revoked by or under any other enactment or by any other regulations.

(3) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of these regulations as it applies to the interpretation of a Guernsey enactment.

Higher rates of unemployment and sickness benefit payable at reduced rates owing to to partial satisfaction of contribution conditions

2. The Second Schedule to the Social Insurance (Unemployment and Sickness Benefit) (Guernsey) Regulations, 1964 (which sets out the reduced weekly rates of unemployment and sickness benefit and of an increase of any such benefit in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied), is hereby repealed and the Schedules set out in the First Schedule to these regulations is hereby substituted therefor.

Higher rates of maternity allowance payable at reduced rates owing to partial satisfaction of contribution conditions

3. The table following paragraph (2) of regulation nine of the Social Insurance (Maternity Benefit) (Guernsey) Regulations, 1971 (which sets out the reduced weekly rates of maternity allowance, and of the increase of such allowance in respect of an adult dependant, payable where the relevant contribution conditions are partially satisfied), is hereby repealed and the following table is hereby substituted therefor -

Numbers including the number of contributions paid or credited in respect of the relevant period	Weekly rate	
	Of maternity allowance without increase	Of increase in respect of adult dependant
48 - 49	£8.25	£5.10
46 - 47	£8.00	£4.85
43 - 45	£7.35	£4.60
40 - 42	£6.90	£4.25
37 - 39	£6.40	£3.90
34 - 36	£5.85	£3.60
30 - 33	£5.15	£3.15
26 - 29	£4.55	£2.70

Higher rates of widow's benefit and old age pension payable at reduced rates owing to partial satisfaction of contribution conditions

4. Subject to the provisions of regulation six of these regulations, the First and Second Schedules to the Social Insurance (Widow's Benefit and Old Age Pensions) (Guernsey) Regulations, 1971 (which sets out the reduced weekly rate of widow's benefit and old age pension, and of the increase of an old age pension in respect of an adult dependant, payable where the contribution conditions are partially satisfied) are hereby repealed and the Schedules set out in the Second and Third Schedules to these regulations are hereby respectively substituted therefor.

Amendment to the New Entrants Regulations

5. The Schedule to the Social Insurance (New Entrants) (Transitional) (Guernsey) Regulations, 1964, is hereby repealed and the Schedule set out in the Fourth Schedule to these regulations is hereby substituted therefor.

Persons not ordinarily resident in Guernsey

6.(1) Notwithstanding the provisions of these or any other regulations or of any Ordinance made under the provisions of section eleven or section thirty-three of the principal Law, but subject to the provisions of this regulation, if a person is not ordinarily resident in Guernsey immediately before the relevant day, then unless and until that person becomes ordinarily resident in Guernsey the following provisions shall apply:-

- (a) if, immediately before the relevant day, that person is entitled to an old age pension (including, for this purpose, a contributory old age pension), he shall be disqualified for receiving any additional old age pension;
- (b) if that person is a married woman who, immediately before the relevant day, is not entitled as is mentioned in the foregoing sub-paragraph and whose husband is then so entitled and not ordinarily resident in Guernsey, she shall be disqualified for receiving any additional widow's benefit or additional old age pension by virtue of her husband's insurance;
- (c) if, immediately before the relevant day, that person is entitled to widow's benefit, she shall be disqualified for receiving any additional widow's benefit or additional old age pension by virtue of her husband's insurance;

- (d) if, immediately before the relevant day, that person is entitled to an industrial disablement benefit, he shall be disqualified for receiving any additional industrial disablement benefit.

(2) Notwithstanding as aforesaid, if a person is not ordinarily resident in Guernsey immediately before the relevant day but that person is entitled to a guardian's allowance or child's special allowance in respect of a child immediately before that day, any person who would otherwise be entitled to any additional guardian's allowance or child's special allowance in respect of that child shall be disqualified for receiving any additional guardian's allowance or child's special allowance in respect of that child unless and until the child becomes (or is) included in the family of a person who is ordinarily resident in Guernsey.

(3) For the purpose of this regulation, references to additional benefit of any description are to be construed as referring to additional benefit of that description by virtue (either directly or indirectly) of any Ordinance made under the provisions of section eleven or section thirty-three of the principal Law or of these regulations.

(4) The disqualifications for the receipt of additional benefit contained in this regulation shall not apply -

- (a) to a person for any period during which he is in Guernsey; or
- (b) to a woman who, immediately before the relevant day, is entitled to an old age pension by virtue of her own insurance or to an old age pension by virtue of her husband's insurance, in relation to an old age pension by virtue of her husband's insurance, or to an old age pension by virtue of her own insurance, as the case may be, to which she thereafter becomes entitled.

(5) For the purpose of this regulation, a person shall be treated as entitled to any benefit immediately before the relevant day if he would then have been so entitled but for any one or more of the following causes, namely -

- (a) any delay or failure to make a claim;
- (b) any disqualification for the receipt of benefit;
- (c) the cohabitation of a widow with a man as his wife;
- (d) the absence of any child from Guernsey;
- (e) the provision of subsection (5) of section twenty of the principal Law (which relates to the disentitlement of a woman to more than one old age pension for the same period).

(6) For the purpose of any disqualification contained in this regulation for the receipt of additional old age pension by virtue of her husband's insurance, an old age pension by virtue of a widow's own insurance to which she becomes entitled by virtue of subsection (6) of section twenty of the principal Law (which provides that in certain cases a widow may have account taken of her husband's contributions in calculating the yearly average of the contributions paid or credited to her for the purpose of her right to an old age pension by virtue of her own insurance) shall be treated as if it were an old age pension by virtue of her husband's insurance.

Repeals

7. The regulations set out in the Fifth Schedule to these regulations are hereby repealed.

Citation and commencement

8.(1) These regulations may be cited as the Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Guernsey) Regulations, 1974.

(2) These regulations shall come into operation on the fourth day of November, nineteen hundred and seventy-four.

Dated this *tenth* day of *October*, nineteen hundred and seventy-four.

E. H. BODMAN

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

FIRST SCHEDULE

Regulation 2.

"SECOND SCHEDULE

Regulation 12(2)

Showing reduced rates of unemployment and sickness benefit and of increase of benefit in respect of adult dependants.

(1)	(2)	(3)	(4)
Number of contributions paid or credited in the relevant contribution year.	Full weekly rate of benefit applicable under the Second Schedule to the Law		
	£8.60	£5.30	£5.00
	Reduced rate at which benefit is payable		
48 - 49	£8.25	£5.10	£4.85
46 - 47	£8.00	£4.85	£4.60
43 - 45	£7.35	£4.60	£4.40
40 - 42	£6.90	£4.25	£4.05
37 - 39	£6.40	£3.90	£3.65
34 - 36	£5.85	£3.60	£3.55
30 - 33	£5.15	£3.15	£3.10
26 - 29	£4.55	£2.70	£2.65

SECOND SCHEDULE

Regulation 4

"FIRST SCHEDULE

Regulations 9 (2),
17(3)(b)(ii) and 18(3)(b)(ii).

Showing reduced rates of widow's benefit and old age pension and of increase of old age pension in respect of an adult dependant payable to a person who attained pensionable age or became a widow on or after the 7th September, 1970.

(1)	(2)	(3)	(4)
Yearly average of contributions paid or credited	Widow's Allowance	Widow's pension, widowed mother's allowance and old age pension	
	Full weekly rate of pension or allowance		
	£14.00	£10.00	£6.00
	Reduced rate at which pension or allowance is payable		
48 - 49	£13.50	£9.55	£5.80
46 - 47	£12.95	£9.30	£5.50
43 - 45	£12.00	£8.60	£5.20
40 - 42	£11.30	£8.00	£4.80
37 - 39	£10.45	£7.45	£4.45
34 - 36	£9.50	£6.80	£4.10
30 - 33	£8.45	£6.00	£3.60
26 - 29	£7.30	£5.30	£3.10
22 - 25	£6.10	£4.45	£2.55
18 - 21	£5.00	£3.60	£2.20
14 - 17	£4.00	£2.80	£1.70
10 - 13	£2.80	£2.00	£1.20

THIRD SCHEDULE

Regulation 4,

"SECOND SCHEDULE

Regulations 17(3)
(a)(ii) and 18(3)(a)(ii)

Showing reduced rates of widow's benefit and old age pension and of increase of old age pension in respect of an adult dependant payable to a person who, not being an existing old age pensioner, had attained pensionable age or became a widow before the 7th September, 1970.

(1)	(2)	(3)
Yearly average of contributions paid or credited	Widow's Pension, Widowed Mother's Allowance and Old Age Pension.	
	Full weekly rate of pension or allowance	
	£10.00	£6.00
	Reduced rate at which pension or allowance is payable	
45 - 49	£9.00	£5.45
40 - 44	£8.00	£4.80
35 - 39	£7.00	£4.20
30 - 34	£6.00	£3.55
25 - 29	£5.00	£3.00
20 - 24	£4.00	£2.45
15 - 19	£3.00	£1.80
10 - 14	£2.00	£1.20

FOURTH SCHEDULE

Regulation 5

"SCHEDULE

Regulation 2

PART I

(applicable to contributions in respect of contribution weeks commencing on or after the 4th January, 1965 and terminating before the 3rd April, 1967).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution				Total number of new pence to be refunded (including interest) in respect of each contribution		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	15	31	31	65 or over	12	24	24
64	16	32	32	64	12	25	25
63	16	33	33	63	13	25	25
62	17	34	34	62	13	26	26

PART II

(applicable to contributions in respect of contribution weeks commencing on or after the 3rd April, 1967 and terminating before the 7th September, 1970).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution				Total number of new pence to be refunded (including interest) in respect of each contribution		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	New Pence	New Pence	New Pence		New Pence	New Pence	New Pence
65 or over	20	39	39	65 or over	15	31	31
64	20	40	40	64	16	32	32
63	20	41	41	63	16	33	33
62	21	42	42	62	17	33	33
61	21	43	43	61	17	34	34
60	22	44	44	60	18	35	35
59	23	45	45	59	18	36	36
58	23	46	46	58	18	37	37

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PART III

(applicable to contributions in respect of contribution weeks commencing on or after the 7th September, 1970 and terminating before the 6th December, 1971).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to the refunded (including interest) in respect of each contribution				Total number of new pence to the refunded (including interest) in respect of each contribution		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	35	69	63	65 or over	26	52	46
64	36	71	65	64	27	53	47
63	37	72	66	63	27	54	48
62	38	74	68	62	28	56	50
61	39	76	70	61	29	57	51
60	40	78	71	60	29	58	52
59	41	80	73	59	30	60	53
58	42	82	75	58	31	62	55
57	43	84	77	57	32	63	56
56	44	86	79	56	32	64	57
55	45	88	81	55	33	66	59

PART IV

(applicable to contributions in respect of contribution weeks commencing on or after the 6th December, 1971 and terminating before the 5th November, 1973).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution				Total number of new pence to be refunded (including interest) in respect of each contribution		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	44	87	79	65 or over	33	65	58
64	45	88	81	64	33	66	59
63	46	91	83	63	34	68	60
62	47	93	85	62	35	70	62
61	48	95	87	61	36	71	63
60	50	98	89	60	37	73	65
59	51	100	91	59	38	75	66
58	52	102	94	58	39	77	68
57	53	105	96	57	40	79	70
56	55	108	98	56	41	81	72
55	56	110	101	55	42	83	73

PART V

(applicable to contributions in respect of contribution weeks commencing on or after the 5th November, 1973 and terminating before the 4th November, 1974).

Age of man at expiration of period of currency of contribution card on which contribution was paid	MEN			Age of woman at expiration of period of currency of contribution card on which contribution was paid	WOMEN		
	Employed	Self-employed	Non-employed		Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution				Total number of new pence to be refunded (including interest) in respect of each contribution		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	66	131	115	65 or over	52	100	86
64	68	133	117	64	53	101	87
63	69	137	120	63	55	104	89
62	71	140	123	62	56	107	92
61	73	144	126	61	57	109	94
60	75	147	129	60	59	112	96
59	77	151	132	59	60	115	99
58	78	155	136	58	62	118	101
57	80	158	139	57	63	121	104
56	82	162	142	56	65	124	106
55	84	166	146	55	67	127	109

PART VI

(applicable to contributions in respect of contribution weeks commencing on or after the 4th November, 1974).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution				Total number of new pence to be refunded (including interest) in respect of each contribution		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	89	173	152	65 or over	69	133	113
64	90	176	155	64	71	135	115
63	92	181	159	63	73	139	118
62	95	185	163	62	74	142	121
61	97	190	167	61	76	146	124
60	100	195	171	60	78	149	127
59	102	200	175	59	80	153	130
58	105	205	180	58	82	157	133
57	107	209	184	57	84	161	136
56	110	215	189	56	86	165	140
55	113	220	193	55	88	169	143

FIFTH SCHEDULE

Regulation 7

Regulations repealed

- The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Guernsey) Regulations, 1970.
- The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Amendment) (Guernsey) Regulations, 1971.
- The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Amendment) (No. 2) (Guernsey) Regulations, 1971.
- The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Guernsey) Regulations, 1973.

EXPLANATORY NOTE

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

Regulations two, three and four increase the reduced rates of unemployment and sickness benefit, maternity allowance, widow's benefit and old age pension payable under the Social Insurance (Guernsey) Law, 1964, as amended, in order to bring them into correspondence with the higher standard rates of such benefits approved by the States on the 29th May, 1974. Regulation six includes provision for the increased rates of widow's benefit and old age pension to be restricted to persons who are ordinarily resident in Guernsey. The remaining provisions are of a minor or consequential character.