

GUERNSEY STATUTORY INSTRUMENT

2011 No. 44

GREFFE
ROYAL COURT

01 DEC 2011

GUERNSEY

**The Social Insurance (Back to Work Benefits)
(Amendment) Regulations, 2011**

<i>Made</i>	<i>16 November, 2011</i>
<i>Coming into operation</i>	<i>16 November, 2011</i>
<i>Laid before the States</i>	

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 39(A) and 116 of the Social Insurance (Guernsey) Law, 1978^a, as amended and of all other powers enabling it in that behalf, hereby orders:-

Amendments to the Regulations.

1. In paragraph (1) of regulation 1 of the Regulations, for "person receiving, or potentially entitled to receive, benefits or contribution credits under the Social Insurance Law" substitute "insured person".

2. In paragraph (2) of regulation 1 of the Regulations, for "for incapacity or unemployment" substitute "under the Social Insurance (Guernsey) Law, 1978, as amended ("**the Social Insurance Law**") or under the Supplementary Benefit (Guernsey) Law, 1971, as amended ("**the Supplementary Benefit Law**")".

^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, p. 510.; Vol. XXXV(1), p. 161; Vol. XXXVI, pp. 123 and 343; Vol. XXXIX, p. 107; Vol. XL, p. 351; Vol XLI, p. 267; Order in Council No. XXIII of 2002; No. XXIV of 2003; No. XI of 2004 and No. XVIII of 2007; Recueil d'Ordonnances Tome XXVI, p. 177 and Tome XXXIII, p. 666 and the Social Insurance (Guernsey) (Amendment) Ordinance, 2011 made by the States of Deliberation on 27th July, 2011.

3. In subparagraph (a) of paragraph (1) of Regulation 3 of the Regulations -

(a) for "to unemployment benefit or an incapacity benefit" substitute "receiving a benefit under the Social Insurance Law or under the Supplementary Benefit Law", and

(b) for "two weeks" substitute "four weeks".

4. In Regulation 5 of the Regulations, after "nature of the benefit provided" insert "under the Social Insurance Law or under the Supplementary Benefit Law".

5. In Regulation 6 of the Regulations, for "Law" substitute "Social Insurance Law or the Supplementary Benefit Law".

Interpretation.

6. (1) In these Regulations, unless the context requires otherwise, "the Regulations" means the Social Insurance (Back to Work Benefits) Regulations, 2004^b.

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

^b S.I. 2004 No. 46.

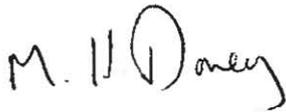
^c Ordres en Conseil Vol. XIII, p. 355.

Citation, commencement and extent.

7. (1) These Regulations may be cited as the Social Insurance (Back to Work Benefits) (Amendment) Regulations, 2011 and shall come into force on the 16 November 2011.

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

Dated this 16th day of November 2011.



Mark H Dorey

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 (Back to Work Benefits) Regulations, 2004 in order to enable the Department to offer assistance to any insured person seeking to return to work and not just those who are receiving, or potentially entitled to receive, benefits or contribution credits under the Social Insurance Law.

In practice, this means that jobseekers who have not paid sufficient contributions in the relevant period to qualify for contributory unemployment benefit, and who are in receipt of supplementary benefit, will be able to access back to work benefits at the expense of the Guernsey Insurance Fund.

These Regulations also extend the maximum period that a claimant may continue to receive benefit whilst undertaking an unpaid work trial for a prospective employer, from two weeks to four weeks.