
GUERNSEY STATUTORY INSTRUMENT

1999 - No. 47

**The Social Insurance (Benefits)
(Miscellaneous Provisions) Regulations, 2000**

Made **2nd December, 1999**

Laid before the States

Coming into operation **1st January, 2000.**

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THE, GUERNSEY SOCIAL SECURITY AUTHORITY in exercise of the powers conferred upon it by sections 11, 20, 27, 28, 34 to 39, 67, 69, 90 and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and by Part II of the Fourth Schedule to that Law and in exercise of all other powers enabling it in that behalf, hereby orders:-

**PART I
INTERPRETATION**

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:-

"dentist" means a person authorised to practise in Guernsey as a dentist;

"dependency benefit" means that benefit which, apart from these regulations, is payable to a person in respect of another person who is a child or an adult dependant;

"determining authority" means the Administrator or the Tribunal, as the case may require;

"incapacity" means incapacity by reason of which a person is rendered incapable of work;

"midwife" means a person who is for the time being registered as a midwife under the provisions of the Nurses, Midwives and Health Visitors Ordinance, 1987;

"personal benefit" means that benefit which, apart from these regulations, is payable to a person otherwise than in respect of another person who is a child or an adult dependant;

"prescribed disease" has the meaning assigned to it by regulation one of the Social Insurance (Industrial Injuries Benefits) (Guernsey) Regulations, 1978;

"physiotherapist" means a person who is a member of the Chartered Society of Physiotherapy or is a State Registered Physiotherapist

"osteopath" means a person who is registered as a fully registered osteopath or a conditionally registered osteopath with the General Osteopathic Council under the Osteopaths Act, 1993;

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

^a 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.

(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, 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.

PART II MATERNITY BENEFIT

Special conditions attaching to maternity benefits

2. (1) For the purposes of sections 27((1)(b)(i) and 28((1)(a)(i) of the Law a certificate of expected confinement shall be issued not earlier than 16 weeks before the week in which it is expected that the woman will be confined.

(2) A woman who has become entitled to a maternity allowance in respect of expectation of her confinement shall cease to be entitled thereto if, before the beginning of the eleventh week before the expected week of confinement, her pregnancy is terminated otherwise than by confinement.

(3) A claim to either maternity allowance or maternity grant may be withdrawn at any time within the limits prescribed for making such claims and treated as a claim for the other benefit, in which case:

(a) a woman withdrawing a claim to maternity allowance shall be deemed not to be entitled to that benefit; and

(b) any payment made in respect of either benefit in consequence of the withdrawn claim shall be treated as having been made on account of payment due in respect of the other.

(4) Where, after the beginning of the sixth week before the week of expected confinement, a woman is incapable of work due to pregnancy or any related condition, any claim to incapacity benefit shall be treated as a claim to maternity allowance, and her maternity allowance period shall be computed from the first day of such incapacity.

Maternity grants in respect of multiple births

3. A woman who is confined of twins or a greater number of children shall, if the other conditions for the payment of a maternity grant are satisfied in respect of the confinement, be entitled in respect thereof to a maternity grant for each of them who is living at the time of his birth; but it shall be a condition for such entitlement that, before the expiration of the prescribed time for making a claim for a maternity grant, she makes a claim therefor and furnishes, by such means as the determining authority shall accept as sufficient, evidence as to -

(a) the number of children of whom she was confined; and

(b) of such children, the number born alive.

Reckonable contributions treated as equivalent to reckonable contributions of the appropriate class in relation to a maternity allowance

4. (1) Where a woman claims a maternity allowance and, in respect of weeks included in the relevant period, not less than thirty-nine reckonable Class 1 or Class 2 contributions have been paid by or credited to her, then, for the purpose of the reference in the First Schedule to the Law to reckonable contributions of the appropriate class or their equivalent, there shall be treated as equivalent to a reckonable contribution of the appropriate class every reckonable Class 3 contribution paid by the claimant in respect of a week included in the relevant period.

Partial satisfaction of the contribution conditions for a maternity allowance

5. (1) Where a woman would be entitled to a maternity allowance but for the fact that the relevant contribution conditions set out in the First Schedule to the Law, though satisfied as respects the twenty-six reckonable contributions required to have been paid, are not satisfied as respects the fifty reckonable contributions required to have been paid by or credited to the claimant, she shall nevertheless be entitled to a maternity allowance payable in accordance with the following provisions of this regulation.

(2) Where a woman is entitled to a maternity allowance by virtue of paragraph (1) of this regulation the respective weekly rates of the allowance shall be those set out in the second and third columns respectively of the First Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which include the number of reckonable contributions of the appropriate class or their equivalent paid by or credited to her in respect of the relevant period.

Disqualification for the receipt of a maternity allowance

6. (1) A woman shall be disqualified for receiving a maternity allowance if, during the period for which the allowance is payable, she does any work as an employed or self-employed person (including any such work which by virtue of any regulations made under the Law is to be disregarded for the purpose of the classification of insured persons), and such disqualification shall be for such part of the said period (but for not less than the number of days on which the woman so worked during the said period) as may be decided by the determining authority;

PART III
DEATH GRANT

Modification of subsection (1) of section thirty-seven of the Law where deceased was a child

7. (1) Subject to the following provisions of this regulation, where the deceased was at death a child but the requirements of subsection (1) of section thirty-seven of the Law are not satisfied, a death grant shall be payable in respect of the death of the deceased if the relevant contribution conditions are satisfied by either -

(a) a parent (including a person who has adopted a child within the meaning of the Adoption (Guernsey) Law, 1960) of the deceased, notwithstanding that the deceased was not at death a child of the family of that parent; or

(b) a person who, immediately before the deceased's death, was entitled to an increase of benefit in respect of the deceased under section fifty-seven of the Law or would have been so entitled had he then been entitled to any benefit of which that section provides an increase.

(2) Subject to the next following paragraph, the amount of a death grant payable by virtue of this regulation shall not exceed the amount of the deceased's funeral expenses.

(3) The foregoing paragraph of this regulation shall not apply if the deceased would have been a child of the family of a parent satisfying the relevant contribution conditions but for the provisions of subsection (3) of section twenty-two of the Family Allowances Law.

(4) As regards a person deemed to have been a child in accordance with Section 37 (6) of the Law, he shall be treated as if he were, at death, the child of the family of any person:

(a) in whose family he was, or could have been, but for a failure to make a claim, or for a prior claim by another person, included when he ceased to be a child; or

(b) who is a parent.

Imprisonment and detention in legal custody

8.

A person shall not be disqualified for receiving a death grant by reason of undergoing a period of imprisonment or detention in legal custody, but the payment of the grant shall be suspended during any such period:

Provided that the grant may nevertheless be paid during any such period as any person appointed by or on behalf of the Authority to receive and deal with any sum payable on behalf of the beneficiary on account of the grant, and the receipt of any person so appointed shall be a good discharge to the Authority for any sum so paid.

Partial satisfaction of contribution conditions for a death grant

9. (1) Where a death grant would be payable but for the fact that the relevant contribution conditions are not satisfied as respects the yearly average of reckonable contributions paid or credited, the grant shall nevertheless be payable in accordance with the

next following paragraph, if the yearly average of reckonable contributions paid or credited is not less than ten.

(2) Where the full amount of the death grant determined by the States by Ordinance in accordance with section 19 of the Law is one of the amounts first set out in columns (2), (3), (4) and (5) of the Second Schedule to these regulations, then the grant shall be of the amount specified in the appropriate column of that Schedule which corresponds with the yearly average of reckonable contributions paid or credited as shown in column (1) of that Schedule.

PART IV
GUARDIAN'S ALLOWANCE, CHILD'S SPECIAL ALLOWANCE,
TRAVELLING ALLOWANCE GRANT AND LIMITED MEDICAL BENEFIT

Modification of provisions of the Law as to guardian's allowance, in relation to adopted children and illegitimate children, etc.

10 (1) Subject to the provisions of paragraph (7) of this regulation, where a child has been adopted within the meaning of the Adoption (Guernsey) Law, 1960, there shall be substituted for the condition contained in paragraph (a) of subsection (1) of section thirty-four of the Law that the parents of the child are dead, the condition set out below which is appropriate to the circumstances of the case, namely -

- (a) if the child was adopted by a person who was not married at the date of the adoption order, the condition that that person is dead;
- (b) if the child was adopted by two spouses jointly, the condition that both of those spouses are dead; or
- (c) if the child was adopted by one of two spouses with or without the consent of the other, the condition that the spouse who adopted the child is dead.

(2) Subject as aforesaid, where a child (other than a child to whom paragraph (1) of this regulation applies) is illegitimate, there shall be substituted for the said condition that the parents of the child are dead the condition set out below appropriate to the circumstances of the case, namely -

- (a) if any person has been found by a court of competent jurisdiction to be the father of the child, or if there is no such finding but in the opinion of the determining authority the paternity of the child has been admitted or established, the condition that the father and the mother of the child are dead; or
- (b) in any other case, the condition that the mother is dead.

(3) Subject as aforesaid, where the marriage of a child's parents was terminated by divorce and where, at the death of one of the parents, the child was not in the custody of, or being maintained by, the other parent and there was no order of a court imposing any liability for custody or maintenance of the child on the other parent, there shall be substituted for the said condition that the parents of the child are dead the condition that one parent is dead.

(4) Subject as aforesaid, where one of a child's parents is dead and the person claiming the guardian's allowance shows that he was at the date of the death unaware of, and has failed after all reasonable efforts to discover, the whereabouts of the other parent, there shall be substituted for the condition that the parents of the child are dead the condition that one of the parents is dead.

(5) For the purposes of the last two foregoing paragraphs "parents" shall include persons who adopt children in the circumstances specified in paragraph (1) of this regulation.

(6) Except in relation to paragraph (3) and paragraph (4) of this regulation, there shall be substituted for the condition contained in paragraph (b) of subsection (1) of the said section thirty-four that one at least of the parents of the child was an insured person, the condition that the person or, as the case may be, one at least of the persons to whom the

appropriate substituted condition contained in this regulation is applicable, was an insured person.

(7) Notwithstanding anything contained in the foregoing provisions of this regulation, the parent of a child shall not be entitled to a guardian's allowance in respect of that child.

Minimum weekly rate of contributions for child's special allowance, etc.

11. (1) For the purposes of paragraph (c) of section thirty-five of the Law, the prescribed weekly rate shall be the weekly rate of the allowance payable in respect of the child as set out in columns (2) or (4), as appropriate, of paragraph 10 of the Schedule to the Social Insurance (Rates of Contributions and Benefits etc.) (Guernsey) Ordinance, 1978.

(2) For the purpose of the said section thirty-five, a voidable marriage which has been annulled, whether before or after the date when these regulations come into force, shall be treated as if it had been a valid marriage which was terminated by divorce at the date of the annulment.

Persons disqualified for limited medical benefit

12. (1) A person shall not be entitled to limited medical benefit in respect of any accident unless -

- (a) he was, at the time of the accident, liable to pay a contribution other than a contribution at the reduced rate under the Social Insurance (Married Women and Widows) (Guernsey) Regulations, 1978; or
- (b) he was entitled to be credited with a contribution in respect of the contribution week in which the accident occurred.

(2) A person shall be disqualified for receiving limited medical benefit if the personal injury in respect of which the benefit is claimed was due to his own misconduct.

(3) For the purposes of section 38(4) of the Law no person shall be entitled to limited medical benefit in respect of any accident occurring on or after 1st January 1996.

(4) A person shall not be entitled to limited medical benefit in respect of an accident which occurred before 1st January 1996 unless a claim to benefit has been made to the Authority within twelve months of the date on which the accident occurred

PART V
ADJUSTMENTS FOR OVERLAPPING BENEFITS

Adjustment of personal benefits where other personal benefit is payable

13. (1) Where, for any period more than one personal benefit would, but for this regulation, be payable to any person, then for that period an adjustment between those personal benefits shall, subject to the next following regulation, be made in accordance with the provisions of paragraph (2) of this regulation.

(2) Where in accordance with paragraph (1) of this regulation an adjustment between any personal benefits is required to be made for any period, then the amount payable for that period in respect of those personal benefits shall be the amount which, but for this provision, would be payable for that period in respect of one of those personal benefits (if they would be so payable at equal rates) or that one of them which would be so payable for that period at the higher or highest rate:

Provided that where in the case of a pre-1964 widow pensioner within the meaning of the Social Insurance (Benefits) (Transitional Provisions) (Guernsey) Regulations, 1978, an adjustment between unemployment benefit, sickness benefit, invalidity benefit, maternity allowance or industrial injury benefit and widow's benefit (other than widow's basic pension) is required to be made as aforesaid for any period then the amount payable in respect of one of those benefits shall not be less than the amount of a widow's basic pension appropriate to a woman of her age.

Exception to regulation thirteen

14. An adjustment shall not be made between any two personal benefits of which one is specified in any paragraph of the first column of the Third Schedule to these regulations and the other is specified in the corresponding paragraph of the second column of that Schedule.

Adjustment of dependency benefit where other dependency benefit is payable

15. (1) Subject to the provisions of this regulation, where, for any period, any dependency benefit is or, but for this regulation, would be payable to any person in respect of a child or an adult dependant, that dependency benefit shall be adjusted -

- (a) in the case of dependency benefit in respect of a child, by reference to any other dependency benefit which is payable for that period in respect of that child; or
- (b) in the case of dependency benefit in respect of an adult dependant, by reference to any other dependency benefit which is payable for that period to that person in respect of that or any other adult dependant or to any person in respect of that adult dependant,

so that the amount which, but for this regulation, would be payable in respect of that dependency benefit shall be reduced or extinguished by the deduction therefrom of the amount payable for that period in respect of that other dependency benefit or those other dependency benefits by reference to which the dependency benefit is required by this regulation to be adjusted and only the balance (if any) shall be payable for that period in respect of that dependency benefit.

(2) Where, for any period, a guardian's allowance is payable or, but for paragraph (1) of this regulation, would be payable in respect of the elder or eldest child (hereafter in this

paragraph referred to as "the first child" of a family which includes also a child or children in respect of whom no such allowance is payable for that period (which child, or, if the family includes more than one such child, the elder or eldest of such children, is hereafter in this paragraph referred to as "the other child"), the following provision shall apply, that is to say, if, for that period, there is payable or, but for the said paragraph (1), there would be payable, in respect of the first child -

- (a) a guardian's allowance; and
- (b) a dependency benefit or more than one dependency benefit,

the said paragraph (1) shall not, for that period, be applied in relation to that allowance or those benefits so as to require that allowance or those benefits to be adjusted by reference to each other; but, as a special provision, the amount of dependency benefit which after the making of any other adjustment required by the said paragraph (1)) would be payable for that period in respect of the first child shall be reduced or extinguished for that period by the deduction therefrom of the amount of any dependency benefit, or, if more than one, the aggregate amount of the dependency benefits, which (after the making of any adjustments required by the said paragraph (1)) is payable for that period in respect of the other child.

(3) Where, for the purposes of section fifty-seven of the Law, a child is, under subsection (2) of section fifty-eight of the Law, treated as a child of a man's family, that child shall be so treated for the purposes of the last foregoing paragraph.

(4) The foregoing provisions of this regulation shall not operate to require the making of any adjustment as between two dependency benefits of which one is dependency benefit by way of an increase of benefit under paragraph (c) of subsection (4) of section sixty of the Law, or under subsection (1) of section sixty-two of the Law, which is or, but for those provisions, would be payable to a person (hereafter in this paragraph referred to as "the beneficiary") in respect of another person who is employed by, but is not residing with, the beneficiary, and the other is any other dependency benefit and is or, but for those provisions, would be payable in respect of that other person to some person other than the beneficiary.

Adjustment of dependency benefit where personal benefit is payable

16. (1) Subject to the provisions of paragraph (2) of this regulation, where, for any period, any one or more personal benefits is or are payable to any person -

- (a) if the weekly rate or the aggregate weekly rate at which that personal benefit or those personal benefits (if more than one) is or are payable for that period (hereafter in this regulation called "the weekly rate of personal benefit") is equal to or exceeds the weekly rate of any dependency benefit which, apart from this regulation, would be payable for that period (hereafter in this regulation called "the weekly rate of dependency benefit"), there shall not be paid in respect of that person for that period any dependency benefit; and
- (b) in any other case, there shall not be paid in respect of that person for that period any dependency benefit at a weekly rate exceeding the difference between the weekly rate of personal benefit and the weekly rate of dependency benefit.

(2) The provisions of this regulation shall not apply in relation to any dependency benefit by way of an increase of benefit under paragraph (c) of subsection (4) of section sixty of the Law, or under subsection (1) of section sixty-two of the Law, in respect of a person who is employed by, but is not residing with, the beneficiary.

Construction of foregoing provisions of Part V

17. Nothing in the foregoing provisions of this Part of these regulations shall be construed as requiring either -

- (a) that any personal benefit by way of industrial medical benefit, limited medical benefit, maternity grant, death grant or travelling allowance grant shall be adjusted; or
- (b) that any personal benefit or dependency benefit shall be adjusted by reason of personal benefit under the Law by way of industrial medical benefit, limited medical benefit, maternity grant, death grant or travelling allowance grant.

Priority of title to increases of benefit

18. Where, but for any of the foregoing provisions of this Part of these regulations, two persons would both be entitled to an increase of benefit in respect of a third person, the person entitled thereto shall, as between such persons, be determined in accordance with the following order of priority:-

- (a) such one of the two persons as may be designated in a written notice to the Authority, signed by the other; or
- (b) such one of the two persons as may be determined by or on behalf of the Authority.

Two increases of the same benefit to be treated as separate benefits

19. For the purposes of the foregoing provisions of this Part of these regulations, in any case where dependency benefit by way of increases of benefit in respect of more than one person (being a child or an adult dependant) is payable, each of such increases of benefit shall be treated as a separate dependency benefit.

Provisions for adjusting benefit for part of a week

20. (1) Subject to the provisions of this regulation, where, in accordance with the provisions of this Part of these regulations, any benefit is required to be adjusted for a part only of a week then, for the purposes of making that adjustment and of determining the amount of that benefit which is payable for the Part (if any) of that week for which it is not so required to be adjusted, the amount of the appropriate weekly rate of that benefit and of every benefit by reference to which it is so required to be adjusted shall, if it is not payable for that week at a daily rate, equal to one-sixth of the appropriate weekly rate, for each day of the week excluding Sunday, be deemed to be so payable.

(2) If the benefit or one of the benefits so required to be adjusted is unemployment benefit, sickness benefit, invalidity benefit, maternity allowance or industrial injury benefit, which is, or but for the provisions of these regulations, (sic) would be payable to a person in whose case the day to be disregarded in accordance with regulations made under subsection (2) of section twenty-three of the Law is a day other than Sunday, the first reference in paragraph (1) of this regulation to Sunday shall be construed as a reference to that other day.

- (3) In this regulation -

- (a) "appropriate weekly rate" means, in relation to any benefit, the weekly rate at which it would be payable but for this regulation;
- (b) "week" means any period of seven consecutive days.

Persons to be treated as entitled to benefit for certain purposes

21. Any person who would be entitled to any benefit but for the foregoing provisions of this Part of these regulations shall be treated as if he were entitled thereto for the purpose of any rights or obligations under the Law and the regulations made thereunder (whether of himself or some other person) which depend on his being so entitled, other than for the purposes of the right to payment of that benefit.

PART VI
MEDICAL CERTIFICATION

Evidence of incapacity

22. (1) A person who claims sickness benefit (other than a woman who claims sickness benefit by reason of her expected confinement), invalidity benefit or industrial injury benefit shall furnish evidence of incapacity in respect of the day or days for which the claim is made by means of a certificate given, in accordance with the following provisions of this regulation, by-

- (a) a medical practitioner in the form appropriate to the circumstances of the case as set out in Part I of the Fourth Schedule to these regulations; or
- (b) a dentist, a physiotherapist or an osteopath in the form appropriate to the circumstances of the case as set out in Part IA of the Fourth Schedule to these regulations;

or by such other means as the Administrator or the Tribunal, as the case may be, may accept as sufficient in the circumstances of the case.

(2) Every such certificate shall be completed in writing in ink or other indelible substance and shall bear, immediately above the words "Medical Practitioner" or "Dentist/Physiotherapist/Osteopath" as the case may be, the signature of the certifying medical practitioner, dentist, physiotherapist or osteopath.

(3) The medical practitioner, dentist, physiotherapist or osteopath shall specify, in such certificate, as precisely as his knowledge of the claimant's condition at the time of the examination permits, the disease, disablement or infirmity for which the examination was undertaken and which renders the claimant incapable of work:

Provided that if, in the signatory's opinion, the disclosure to the claimant of the precise disease, disablement or infirmity would be prejudicial to his well-being, the certificate may contain a less precise statement of that disease, disablement or infirmity.

(4) Every such certificate must have been given on a date not more than two days later than the date of the examination upon which it is based and no further certificate based on the same examination shall be furnished other than a certificate to replace an original certificate which has been lost or mislaid, but in that case the certificate shall be clearly marked "duplicate".

(5) Before resuming work, every claimant shall furnish such a certificate specifying the date on which, in the opinion of the medical practitioner, dentist, physiotherapist or osteopath, the claimant will become fit to resume work or such other statement specifying the date on which the claimant will resume work as the Administrator or Tribunal may accept as sufficient in the circumstances of the case.

Evidence of personal injury, prescribed injury and prescribed disease

23. (1) A person who claims industrial medical benefit or limited medical benefit, as the case may be, but not sickness benefit, invalidity benefit or industrial injury benefit, shall furnish evidence of having been examined by a medical practitioner, dentist, physiotherapist or osteopath in respect of a personal injury caused by accident or a prescribed disease by means of a certificate given, in accordance with the following provisions of this regulation, by -

- (a) a medical practitioner in the form set out in Part II of the Fourth Schedule to these regulations; or
- (b) a dentist, a physiotherapist or an osteopath in the form set out in Part IIA of the Fourth Schedule to these regulations; or

or by such other means as the Administrator or the Tribunal, as the case may be, may accept as sufficient in the circumstances of the case.

(2) Every such certificate shall be completed in writing in ink or other indelible substance and shall bear, immediately above the words "Medical practitioner" or "Dentist/Physiotherapist/Osteopath" as the case may be, the signature of the certifying medical practitioner, dentist, physiotherapist, or osteopath.

(3) The medical practitioner, dentist, physiotherapist or osteopath shall specify, in such certificate, as precisely as his knowledge of the claimant's condition at the time of the examination permits, the personal injury or prescribed disease for which the examination was undertaken:

Provided that if, in the signatory's opinion, the disclosure to the claimant of the precise nature of the personal injury or prescribed disease would be prejudicial to his well-being, the certificate may contain a less precise statement.

Evidence of expected confinement and of confinement

24. (1) Every woman by whom, or on whose behalf, a claim for maternity benefit is made shall furnish evidence -

- (a) where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached her pregnancy; or
- (b) where the claim is made by virtue of the fact of confinement, that she has been confined;

by means of a certificate given by a medical practitioner or midwife in the form set out in Section A or Section B, as the case may be, of Part III of the Fourth Schedule to these regulations.

(2) Every certificate of expected confinement or of confinement shall be completed in writing in ink or other indelible substance and shall bear, immediately above the words "Medical Practitioner/Midwife", the signature of the certifying medical practitioner or midwife, as the case may be.

PART VII**REPEALS, SAVINGS, CITATION AND
COMMENCEMENT***Repeals*

25. The Social Insurance (Benefits) (Miscellaneous Provisions) (Guernsey) Regulations, 1978^b are repealed.

Savings

26. Any adjustment or other thing made or done under any regulations repealed by these regulations which could have been made or done under a corresponding provision of these regulations shall not be invalidated by the repeal but shall have effect as if made or done under that corresponding provision.

Citation

27. These regulations may be cited as the Social Insurance (Benefits) (Miscellaneous Provisions) Regulations, 2000.

Commencement

28. These regulations, with the exception of the First and Second Schedules, shall come into force on the 1st January 2000; the First and second Schedules shall come into force on 3rd January, 2000.

Dated this 2nd day of December, 1999,



O D Le Tissier

President of the Guernsey Social Security Authority,
for and on behalf of the Authority.

^b S.I.1978 No. 21; S.I.1980 No. 26; S.I.1985 No. 15; S.I.1989 No.3; S.I.1990 No. 10, S.I. 1993 No. 32, S.I. 1995 No. 29, S.I. 1996 Nos. 2 and 30; 1999 No. 11.

EXPLANATORY NOTE

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

These regulations have been extensively revised to reflect the changes to maternity benefits, have been renumbered and are reissued in their entirety. They also contain miscellaneous provisions relating to death grant, guardian's allowance, child's special allowance, travelling allowance grant and limited medical benefit, to the adjusting of personal benefit where other personal benefit is payable and of dependency benefit where other dependency benefit is payable; and to the forms of medical certificate required to be produced in claiming certain benefits as evidence of incapacity, of personal injury or a prescribed disease, or of confinement or expected confinement.

FIRST SCHEDULE Regulation 5
Weekly rates of maternity allowance in cases of partial satisfaction of contribution conditions

Number of reckonable contributions paid or credited in the relevant period	Weekly rate of maternity allowance
50 or more	£72.84
48 – 49	£70.68
46-47	£67.74
43-45	£64.08
40-42	£59.70
37-39	£55.38
34-36	£51.00
30-33	£45.90
26-29	£40.08

SECOND SCHEDULE Regulation 9
Reduced amount of death grant where contribution conditions are not fully satisfied

(1)	(2)	(3)	(4)	(5)
Yearly average of contributions paid or credited	The age of the deceased at death			
	Over 18	Between 6 and 17	Between 3 and 5	Under 3
45 or more	£317.00	£238.00	£159.00	£95.00
	Reduced amount of death grant payable			
30 – 44	£238.00	£179.00	£119.00	£71.00
10 – 29	£159.00	£119.00	£8000	£48.00

THIRD SCHEDULE Regulation 15

PERSONAL BENEFITS WHICH ARE NOT REQUIRED TO BE ADJUSTED BY
REFERENCE TO OTHER PERSONAL BENEFITS

Column 1

Column 2

(1) Widow's basic pension

(1) Unemployment benefit, sickness benefit, invalidity benefit, maternity allowance or industrial injury benefit.

(2) Any personal benefit.

(2) Industrial disablement benefit.

FOURTH SCHEDULE

Regulations 22, 23 and 24

FORMS OF CERTIFICATES

PART I

The Social Insurance (Guernsey) Law

For the Doctor only Medical Certificate Form K

Mr./Mrs./Miss

I certify that I examined you on and that in my opinion -

(a) you were then incapable of work by reason of *+
.....

(b) you will remain INCAPABLE of work for

(c) you will be FIT to resume work on

Remarks by Medical Practitioner

*If a prescribed injury or disease quote the reference number.

+Diagnosis must be inserted on first certificate and on subsequent certificates if there is any alteration.

.....
Date of signing

.....
Medical Practitioner

PART IA

“The Social Insurance (Guernsey) Law

For the Practitioner only

Medical Certificate

Form S

Mr/Mrs/Miss

I certify that I examined you on and that in my opinion -

(a) you were then incapable of work by reason of *+

(b) you will remain INCAPABLE of work for

(c) you will be FIT to resume work on

Remarks

.....
Date of Signing

.....
Dentist/Physiotherapist/Osteopath

* If a prescribed injury or disease quote the reference number.

+ Diagnosis must be inserted on first certificate and on subsequent certificates if there is any alteration.

PART II

For the Doctor

Form M

The Social Insurance (Guernsey) Law

Medical Certificate - Claim For Industrial Medical Benefit

Mr./Mrs./Miss

Address

.....

Date of birthSocial Security Number

1. I certify that I examined the above-named person on

who, in my opinion, was suffering from

*

2. The patient alleges that the injury was sustained at work on

.....
Date of signing

.....
Medical Practitioner

Remarks by Medical Practitioner

* If a prescribed injury or disease, quote the reference number.

PART IIA

“

For the Dentist, Physiotherapist, Osteopath

Form T

The Social Insurance (Guernsey) Law

Medical Certificate - Claim For Industrial Medical Benefit

Mr/Mrs/Miss

Address

.....

Date of birthSocial Security number

1. I certify that I examined the above-named person on
who, in my opinion, was suffering from

*

2. The patient alleges that the injury was sustained at work on

.....
Date of Signing

.....
Dentist/Physiotherapist/Osteopath

Remarks

_____”
* If a prescribed injury or disease, quote the reference number

Section B

The Social Insurance (Guernsey) Law

For the Doctor/Midwife Certificate Of Confinement Form V

Mrs/Miss/Ms

I certify that I attended you in connection with your confinement which took place at (*address*) and that a child/ children was/were born on

.....
Date of signing Medical Practitioner/Midwife

(If Midwife, add Registered Number or address and date of qualification
.....)

Remarks by Medical Practitioner/Midwife