
GUERNSEY STATUTORY INSTRUMENT

1995 - No. 5

**The Social Insurance (Residence and
Persons Abroad) (Amendment) (Guernsey)
Regulations, 1995**

Made	9th March, 1995.
Laid before the States	
Coming into Operation	19th March, 1995

The Guernsey Social Security Authority, in exercise of the powers conferred upon it by section 15 of the Social Insurance (Guernsey) Law, 1978, as amended(a), hereby orders:-

Amendment to principal Regulations

1. Regulation 3 of the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, 1978, as amended(b), is hereby repealed and the following Regulation substituted therefor:-

"3. (1) Where a person is employed outside Guernsey and that employment would, in Guernsey, be treated as an employed contributor's employment, that employment outside Guernsey shall be treated as an employed contributor's employment for the period mentioned in sub-paragraph (a) of paragraph (2) of this regulation, as being the period for which contributions are payable in respect of the earnings paid to that person in respect of that employment, provided that:-

- (a) the employer has a place of business in Guernsey; and
- (b) the person concerned is ordinarily resident in Guernsey; and
- (c) immediately before entering into that employment the person concerned was resident in Guernsey.

(2) Where under paragraph (1) of this regulation employment outside Guernsey is treated as an employed contributor's employment, the following provisions shall apply with respect to the payment of contributions:-

- (a) primary and secondary Class 1 contributions shall be payable in respect of any payment of earnings for the employment outside Guernsey during the period of one hundred and fifty-six weeks from the beginning of the week on which that employment begins to the same extent as that to which such contributions would have been payable if the employment had been in Guernsey;

(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; No. XII of 1993; Ordinance No. XIV of 1993.

(b) S.I. 1978 No. 25, S.I. 1986 No. 35.

(b) after the completion of the period mentioned in sub-paragraph (a) of this paragraph, the insured person shall, for any week thereafter during the whole of which he is outside Guernsey be entitled to pay a Class 2 contribution related to his earnings if in that week he is under the age of sixty-five.

(3) Where a person to whom sub-paragraph (b) of the last foregoing paragraph is applicable returns to Guernsey, any reckonable Class 2 contributions derived from a Class 2 contribution paid (whether before or after any such event) in accordance with the provisions of that sub-paragraph shall be treated as if it were a reckonable Class 1 contribution paid by him:

Provided that in respect of each contribution year during the whole of which he was outside Guernsey not less than forty-five reckonable contributions of any class have been paid by or credited to him. "

Citation

2. These Regulations may be cited as the Social Insurance (Residence and Persons Abroad) (Amendment) (Guernsey) Regulations, 1995.

Commencement

3. These Regulations shall come into force on the 19th day of March, 1995.

Dated this 9th day of March, 1995.



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

EXPLANATORY NOTE

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

These Regulations repeal and substitute Regulation 3, extending the former provisions to provide that Social Insurance contributions are payable for all Guernsey residents employed for up to three years outside the Island by an employer having a place of business in Guernsey, so that such employees are fully covered for the benefits provided under the Social Insurance Law. An employee working outside Guernsey for longer than three years is further given the option of continuing to pay Class 2 (self-employed) contributions related to his earnings, which can be used to give entitlement to the full range of benefits on his return to Guernsey.