

---

**GUERNSEY STATUTORY INSTRUMENT**

---

1999 - No. 52

**The Social Insurance (Residence and Persons Abroad) (Amendment )  
Regulations, 1999.**

Made ... .. 2nd December, 1999

Laid before the States ... ..

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

**THE GUERNSEY SOCIAL SECURITY AUTHORITY**, in exercise of the powers conferred upon it by section 67 of the Social Insurance (Guernsey) Law, 1978, as amended<sup>a</sup>, hereby orders:-

**Amendments**

1. In Regulation 4(2) of the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, as amended<sup>b</sup>, ("the principal regulations") the words "not exceeding four" are replaced by "of less than five".

2. Regulation 6 of the principal regulations is repealed and replaced by the following:

*"Modifications of the Law in relation to sickness benefit, invalidity benefit, industrial injury benefit and maternity allowance*

6. (1) A person shall not, during such period as may be allowed by or on behalf of the Authority, be disqualified for receiving sickness benefit, invalidity benefit or industrial injury benefit by reason of being temporarily absent from Guernsey if:

(a) the absence is for the specific purpose of being treated for incapacity which commenced before he left Guernsey; or

---

<sup>a</sup> 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.

<sup>b</sup> S.I. 1974 No. 25, S.I. 1986 No. 35, S.I. 1995No.5, S.I. 1995 Nos. 5 and. 27.

(b) the absence is for such exceptional reason, following the commencement of incapacity, as the Authority may be satisfied is necessary for his well-being and will not hinder his recovery; or

(c) on the day on which the absence began he was, and had for the past six months continuously been, incapable of work, and on the day for which benefit is claimed he has been continuously so incapable since the absence began.

(2) A woman shall not be disqualified for receiving maternity allowance by reason of being absent from Guernsey if:

(a) she becomes entitled to receive the allowance immediately following a period of incapacity for which benefit was payable in accordance with the foregoing paragraph: or

(b) payment of an allowance has commenced before her departure.”

### **Repeal**

3. Regulation 9 of the principal regulations is repealed.

### **Citation**

4. These regulations may be cited as the Social Insurance (Residence and Persons Abroad) (Amendment) Regulations, 1999.

### **Commencement**

5. These regulations shall come into force on 1st 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.

### **EXPLANATORY NOTE**

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

These regulations amend the existing provisions to allow sickness benefit, in exceptional circumstances, to continue to be paid during temporary periods of absence from the Island for reasons other than medical treatment. The amendment does not affect the rule that benefit cannot be paid for persons falling ill whilst temporarily absent from Guernsey until their return to the Island.

In relation to maternity allowance, the regulations provide for that benefit, once payable, to continue to be paid whether or not the claimant is present in Guernsey.

Regulation 1 amends an existing provision to remove the possibility of misinterpretation in regard to the contribution liability of Class 2 and 3 contributors absent from the Island.