

GUERNSEY STATUTORY INSTRUMENT
1975 No. 5

THE SOCIAL INSURANCE (RESIDENCE AND PERSONS ABROAD)
(AMENDMENT)(GUERNSEY) REGULATIONS, 1975

Made 31st January 1975
Laid before the States
Coming into Operation 3rd March 1975

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

Amendment to regulation one of the principal regulations

1. In paragraph (1) of regulation one of the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, 1964, as amended (hereinafter referred to as "the principal regulations"), immediately after the definition of the expression "the Law" there is hereby inserted the following definition -

" "share fisherman" means any person who is employed in the fishing industry, whether or not under a contract of service, as master or a member of the crew of a fishing vessel which is registered in Guernsey under the Merchant Shipping Act, 1894, and manned by more than one person, and remunerated in respect of that employment in whole or in part by a share in the profits or gross earnings of the fishing vessel; "

Amendment to regulation five of the principal regulations

2. For the comma at the end of paragraph (1) of regulation five of the principal regulations there is hereby substituted a colon, and there is hereby inserted immediately below that paragraph the following proviso -

" Provided that this paragraph shall not apply to a share fisherman as respects any week throughout which he is outside Guernsey in connection with his employment as a share fisherman. "

Amendments to regulation seven of the principal regulations

3. Regulation seven of the principal regulations is hereby amended as follows, that is to say:-

(a) paragraph (e) thereof is hereby repealed and the following paragraph is hereby substituted therefor -

" (e) a person shall not be disqualified for receiving limited medical benefit -

(i) by reason of being temporarily absent from Guernsey for the specific purpose of being treated for incapacity due to personal injury caused by an accident which he sustained before he left Guernsey; or

(ii) by reason of the fact that the personal injury he has suffered was caused by an accident sustained during a period of absence from Guernsey, if such absence was in connection with his employment in a gainful occupation;

during such period as the Authority may allow, having regard to the particular circumstances of the case; ";

- (b) paragraph (f) thereof is hereby repealed and the following paragraph is hereby substituted therefor -

" (f) a person shall not be disqualified for receiving industrial medical benefit -

(i) by reason of being temporarily absent from Guernsey for the specific purpose of being treated for incapacity due to personal injury caused by accident arising out of and in the course of his employment which he sustained before he left Guernsey;

(ii) if he is a person to whom the provisions of paragraph (2) of regulation three of these regulations apply; or

(iii) by reason of the fact that the personal injury he has suffered was caused by an accident arising out of and in the course of his employment which he sustained during a period of absence from Guernsey, if such absence was in connection with his employment in a gainful occupation;

during such period as the Authority may allow, having regard to the particular circumstances of the case. ".

Citation, collective title and commencement

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

(2) These regulations and the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, 1964 to 1971, may together be cited as the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, 1964 to 1975.

(3) These regulations shall come into operation on the *third* day of *March*, nineteen hundred and seventy-five.

Dated this *thirty first* day of *January*, nineteen hundred and seventy-five.

E. H. BOOMAN.

President of the States Insurance 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 further amend the provisions of the Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations 1964, as amended, so as to provide that a share fisherman employed on a fishing vessel which is registered in Guernsey shall be liable to pay contributions for weeks of absence from Guernsey; and so as to remove the disqualification for entitlement to industrial medical benefit and limited medical benefit in respect of personal injuries caused by accidents sustained during periods of absence away from Guernsey in connection with employment in a gainful occupation.