

GUERNSEY STATUTORY INSTRUMENT  
GUERNSEY

2009 - No. 90

**The Social Insurance (Contributions) (Amendment) Regulations, 2009**

Made ... .. 22nd December 2009  
Laid before the States ... ..  
Coming into operation ... .. 1st January 2010

**THE SOCIAL SECURITY DEPARTMENT**, in exercise of the powers conferred upon it by sections 3, 6, 8, 11, 15, 16A and 116 of the Social Insurance (Guernsey) Law, 1978, as amended<sup>1</sup>, and of all other powers enabling it in that behalf, hereby orders:-

**Amendments.**

1. In paragraph (2) of regulation 10 of the Social Insurance (Contributions) Regulations, 2000, as amended<sup>2</sup>, delete "an amount equal to the product of the rate appropriate to his Class and circumstances and one fifty-second of the relevant income of the applicant." and insert:

“,-

(a) in the case of persons desirous of paying a reduced rate of Class 2 contribution, an amount determined in accordance with the following formula:

$$a = \frac{i \times d}{52}$$

where –

“a” is the amount of the contribution,  
“i” is the applicant’s relevant income,  
“d” is the Class 2 rate;

(b) in the case of persons desirous of paying a reduced rate of Class 3 contribution, an amount determined in accordance with the following formula:

$$A = \frac{(I - C) \times D}{52}$$

<sup>1</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; No. X of 2000; No. IX of 2001; No. XXIV of 2003; No. XI of 2004; No. XVIII of 2007 and Ordinance No. ?? of 2009.

<sup>2</sup> S.I. 1999 No. 49; S.I. 2001 No. 3; S.I. 2001 No. 43; S.I. 2003 No. 40; S.I. 2005 No. 37; S.I. 2006 No. 49; S.I. 2007 No. 23 and S.I. 2008 No. 65.

where –

“A” is the amount of the contribution,  
“T” is the applicant’s relevant income,  
“C” is the Class 3 income allowance, and  
“D” is the Class 3 rate.”

2. In paragraph 3 of Regulation 10 of the Social Insurance (Contributions) Regulations, 2000, as amended, insert the following after subparagraph (f):

“(g) “the Class 2 rate” means such percentage as the States shall from time to time by Ordinance determine under subsection (2) of section six of the Law.”

**Interpretation.**

3. (1) 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, revoked, extended or applied, by or under any other enactment or by any other regulations.

(2) The Interpretation (Guernsey) Law, 1948<sup>3</sup> applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

**Citation.**

4. These Regulations may be cited as the Social Insurance (Contributions) (Amendment) Regulations, 2009.

**Commencement.**

5. These Regulations shall come into force on the 1st day of January, 2010.

Dated this 22nd day of December, 2009.

*M. H. Dorey*

Mark Dorey,  
Minister for Social Security,  
For and on behalf of the Social Security Department.

<sup>3</sup> Orders en Conseil Vol. XIII, p. 355.

## **EXPLANATORY NOTE**

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

These regulations amend the Social Insurance (Contributions) Regulations, 2000 to provide for the Class 3 rate allowance to be taken into account when calculating the contribution liability of non-employed persons paying a reduced rate of contributions (i.e. making an income related application). As there is no equivalent allowance for self-employed persons, it is necessary to provide two different formulas to calculate the contribution liability of self-employed and non-employed contributors desirous of paying a reduced rate of contribution.