

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

**The Long-term Care Insurance (Guernsey) (Rates and
Transitional Provisions) Ordinance, 2003 ***

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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No. VII of 2003.

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ARRANGEMENT OF SECTIONS

1. Rates of benefit.
2. Co-payment by way of contribution.
3. Transitional provisions concerning entitlement to care benefit.
4. Transitional provisions concerning care establishments and care providers.
5. Interpretation.
6. Extent.
7. Citation.

(Made on the 26th March, 2003.)

The Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003

THE STATES, in pursuance of their resolution of the 25th day of September, 2002^a and in exercise of the powers conferred on them by sections 5 and 35 of the Long-term Care Insurance (Guernsey) Law, 2002^b and all other powers enabling them hereby order: –

Rates of benefit.

1. ...

NOTE

Section 1 was repealed by the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2003, section 4, with effect from 1st January, 2004.

Co-payment by way of contribution.

2. ...

NOTE

Section 2 was repealed by the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2003, section 4, with effect from 1st January, 2004.

a Resolution 10 on Article X of Billet d'État No. XX of 2002.

b Order in Council No. XXIII of 2002.

Transitional provisions concerning entitlement to care benefit.

3. A person who –
- (a) prior to the 31st day of December 2002 was receiving care as a resident of an approved care establishment,
 - (b) has since that day been in continuous receipt of such care as such a resident, and
 - (c) is receiving such care as such a resident on the 6th day of April 2003,

is a person in need of long-term care for the purposes of entitlement to care benefit under the provisions of the Law.

Transitional provisions concerning care establishments and care providers.

4. (1) Subject to subsection (2) the Administrator may designate –
- (a) an establishment, or
 - (b) a provider of long-term care services,

in respect of which or whom an application for designation under section 11 of the Law has been received by the Administrator on or before the 4th day of April 2003, as an approved care establishment or an approved care provider for the purposes of the Law.

(2) A designation made by the Administrator under this section may be made –

- (a) for such period, not extending beyond the 7th day of October 2003, as the Administrator thinks fit,
- (b) subject to such conditions as the Administrator thinks fit, and
- (c) for the avoidance of doubt, notwithstanding that –
 - (i) the application for designation is incomplete, or
 - (ii) further enquiries need to be made or answered for the purposes of assessing the application.

Interpretation.

5. In this Ordinance unless the context otherwise requires –

"**the Law**" means the Long-term Care Insurance (Guernsey) Law, 2002, and

"**nursing home**" and "**residential home**" have the meanings given by section 18(1) of the Nursing Homes and Residential Homes (Guernsey) Law, 1976^c.

Extent.

6. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

^c Ordres en Conseil Vol. XXVI, p. 71.

Citation.

7. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003.

NOTE

The Ordinance was made and came into operation on 26th March, 2003
