

Island of



Guernsey

## Ordinance of the States

**XLIII**  
**2011**

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Made .....30th November, 2011

Coming into Operation .....2nd January, 2012

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### **The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2011**

## **The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2011**

**THE STATES**, in pursuance of their Resolution of the 29<sup>th</sup> September 2011<sup>a</sup> and in exercise of the powers conferred on them by sections 5 and 31 of the Long-term Care Insurance (Guernsey) Law, 2002 as amended<sup>b</sup> and all other powers enabling them in that behalf, hereby order:-

### **Rates of benefit.**

1. (1) The maximum weekly rates of care benefit shall be -
  - (a) for persons resident in a residential home -
    - (i) £391.37, or
    - (ii) where also receiving EMI care, £515.69, and
  - (b) for persons resident in a nursing home or the Guernsey Cheshire Home, £730.73.
- (2) The maximum weekly rates of respite care benefit shall be -
  - (a) for persons receiving respite care in a residential home-

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<sup>a</sup> Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

<sup>b</sup> Order in Council No. XXIII of 2002; Recueil d'Ordonnances Tome XXIX, p. 406 and Tome XXXII, p. 625.

- (i) £567.98, or
  - (ii) where also receiving EMI care, £692.30, and
- (b) for persons receiving respite care in a nursing home or the Guernsey Cheshire Home, £907.27.

**Co-payment by way of contribution.**

2. The weekly co-payment which a claimant shall make by way of contribution towards or for the cost of his care -

- (a) as a condition of the right to care benefit, and
- (b) which shall be taken into account for the purposes of determining the rate of care benefit,

shall be £176.61.

**Interpretation.**

3. (1) In this Ordinance unless the context requires otherwise -

"**EMI care**" means care which, in the opinion of the Authority, is necessary to meet the needs of a person who is assessed by the Panel as having the characteristics of an elderly and mentally infirm person,

"nursing home" and "residential home" have the meanings given by section 18(1) of the Nursing Homes and Residential Homes (Guernsey) Law, 1976<sup>c</sup>,

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

other words and expressions used in this Ordinance shall have the same meaning as in the Law.

(2) Unless the context requires otherwise, references in this Ordinance to an enactment are references thereto as amended, re-enacted (with or without modification), extended or applied.

(3) The Interpretation (Guernsey) Law, 1948<sup>d</sup> shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

**Repeal and amendment.**

4. The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2010<sup>e</sup> is repealed.

**Citation.**

5. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2011.

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<sup>c</sup> Ordres en Conseil Vol. XXVI, p. 71; Vol. XXXI, p. 278 and Order in Council No. VI of 2007; Recueil d'Ordonnances Tome XXIX, p. 406.

<sup>d</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>e</sup> Ordinance No. L of 2010.

**Extent.**

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

**Commencement.**

7. This Ordinance shall come into force on the 2<sup>nd</sup> January, 2012.

D. J. ROBILLIARD,  
Her Majesty's Deputy Greffier.

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