

Island of



Guernsey

Ordinance of the States

**XLII
2009**

Made25th November, 2009

Coming into Operation1st January, 2010

The Social Insurance (Guernsey) Law (Amendment) Ordinance, 2009

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THE STATES, in pursuance of their Resolution of the 1st October, 2009^a, and in exercise of the powers conferred on them by sections 115A and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of section 8 of the Law.

1. For sections 8(2) and (3) of the Law substitute -

"(2) Subject to the provisions of this Law, an insured person who as respects any contribution week is a non-employed person shall be liable to pay in respect of that week a Class 3 contribution in an amount determined in accordance with the following formula:

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

where -

"A" is the amount of the contribution,

"B" is the current upper annual income limit for Class 3 contributions,

"C" is such amount as the States shall from time to time by Ordinance determine (hereinafter called "**the Class 3 income allowance**"), and

^a Article XIII of Billet d'État No. XXIV of 2009.

^b Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59; Vol. XXXIV, p. 510.; Orders in Council No. V of 1994; No.'s VI and XIII of 1995; No. VI of 1999; No. X of 2000; No. IX of 2001; No. XXIII of 2002; No. XXIV of 2003; No. XI of 2004 and No. XVIII of 2007 and Ordinance No. XIV of 1993 (Tome XXVI, p. 177).

"D" is such percentage as the States shall from time to time by Ordinance determine (hereinafter called "**the Class 3 rate**"); and for the avoidance of doubt, different percentages may be determined for different classes of non-employed persons.

(3) Subject to the following subsections, where any person who, but for this subsection, would be liable to pay Class 3 contributions in accordance with subsection (2) as respects any contribution year or part of a contribution year has satisfied the Authority that his relevant income is below the current upper annual income limit for that year in respect of Class 3 contributions and has satisfied such other conditions as may be prescribed, then, subject to and in accordance with regulations, he shall be liable to pay a Class 3 contribution in respect of each contribution week in that year or part of that year, as the case may be, in an amount determined in accordance with the following formula:

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

where -

"A" is the amount of the contribution,

"I" is the person's relevant income,

"C" is the Class 3 income allowance, and

"D" is the Class 3 rate."

Insertion of section 11A into Law.

2. Immediately after section 11 of the Law, insert -

"Power to determine amount of any contribution.

11A. Any power under this Part enabling the States by Ordinance to determine a percentage for the purpose of calculating the amount of a

contribution, includes the power to determine a sum of money."

Interpretation.

3. (1) In this Ordinance the expression "**the Law**" means the Social Insurance (Guernsey) Law, 1978, and any other expressions have the same meaning as in, and for the purposes of, the Law.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extent.

4. This Ordinance shall have effect in the Island of Alderney as it has effect in the Islands of Guernsey, Herm and Jethou.

Citation.

5. This Ordinance may be cited as the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2009.

Commencement.

6. This Ordinance shall come into force on the 1st January 2010.

K.H. TOUGH,
Her Majesty's Greffier.

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