

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

The Social Insurance (Medical Certification) (Amendment)
(Guernsey) Ordinance, 1971 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. 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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* Recueil d'Ordonnances Tome XVII, p. 133.

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ARRANGEMENT OF SECTIONS

1. Amendment to principal Ordinance.
2. New Part III of the Schedule to the principal Ordinance.
3. Citation, collective title, extent and commencement.

SCHEDULE

(Made on the 7th June, 1971.)

The Social Insurance (Medical Certification) (Amendment) (Guernsey) Ordinance, 1971

THE STATES LEGISLATION COMMITTEE, in exercise of the powers conferred upon them by paragraph (3) of Article sixty-six of the Reform (Guernsey) Law, 1948^a, and by subsection (6) of section forty-eight and section seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended^b, and of all other powers enabling them in that behalf, hereby order: –

Amendment to principal Ordinance.

1. Section four of the Social Insurance (Medical Certification) (Guernsey) Ordinance, 1968^c (hereinafter referred to as "**the principal Ordinance**") is hereby repealed and the following section is hereby substituted therefor –

"Evidence of expected confinement or confinement.

4. (1) Every woman by whom or on whose behalf a claim for maternity benefit is made shall furnish evidence –

(a) where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached in her pregnancy, or

(b) where the claim is made by virtue of the fact of

^a Ordres en Conseil Vol. XIII, p. 288.

^b Ordres en Conseil Vol. XIX, p. 286; Vol. XX, p. 126; Vol. XXI, p. 143; No. III of 1971.

^c Recueil d'Ordonnances Tome XV, p. 271.

confinement, that she has been confined,

by means of a certificate given by a medical practitioner or midwife in the form set out in Section A or Section B, as the case may be, of Part III of the Schedule to this Ordinance.

(2) Every woman to whom paragraph (2) of regulation three of the Social Insurance (Unemployment and Sickness Benefit) (Guernsey) Regulations, 1964, relates and who claims sickness benefit in pursuance of the provisions of the said paragraph, shall furnish evidence of her confinement by means of a certificate given by a medical practitioner or midwife in the form set out in Section B of Part III of the Schedule to this Ordinance or by such other means as the Administrator or tribunal, as the case may be, may accept as sufficient in the circumstances of the case.¹

(3) Every certificate of expected confinement or confinement shall be completed in writing in ink or other indelible substance and shall bear, immediately above the words "Medical Practitioner/Midwife", the signature of the certifying medical practitioner or midwife, as the case may be."

NOTE

In accordance with the provisions of the Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018, regulation 1, with effect from 22nd October, 2018 and subject to the savings and transitional provisions in regulation 3, the functions, rights and liabilities of the Committee for Employment & Social Security and of its President and members relating to the collection of social insurance contributions arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Policy & Resources Committee and its President and members; and, in accordance with regulation 2 of the 2018 Regulations, for any reference herein to the Committee for Employment & Social Security or its President or members, however expressed, there was substituted, to the extent that the reference related to the collection of social insurance contributions, a reference to the Policy & Resources Committee or (as the

case may be) its President or members.

New Part III of the Schedule to the principal Ordinance.

2. Part III of the Schedule to the principal Ordinance is hereby repealed and the Part III set out in the Schedule to this Ordinance is hereby substituted therefor.

Citation, collective title, extent and commencement.

3. (1) This Ordinance may be cited as the Social Insurance (Medical Certification) (Amendment) (Guernsey) Ordinance, 1971.

(2) This Ordinance and the principal Ordinance may be cited together as the Social Insurance (Medical Certification) (Guernsey) Ordinances, 1968 and 1971.

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

(4) This Ordinance shall come into force on the seventh day of June, nineteen hundred and seventy-one.

SCHEDULE

Section two

"Part III

Section A

Certificate of expected confinement

(To be given by a medical practitioner or midwife not earlier than the beginning of the fourteenth* week before the week* containing the day of expected confinement).

To:

I certify that I examined you on and that
in my opinion you may expect to be confined in the week* which will include
the day of 19

(Here insert the expected date of confinement)

.....

.....

Date of signing

Medical Practitioner/Midwife

(If Midwife, add Registered Number or address and date of qualification

.....

.....)

Any other remarks by Medical Practitioner or Midwife

.....
.....

* The week referred to is a contribution week, i.e. one which begins on a Monday.

Section B

Certificate of confinement^(a)

(To be given by a medical practitioner or a midwife)

I certify that I attended

in connection with her confinement which took place at

..... (address)

and that she was there delivered of a child

..... children^(b)

on theday of 19..... .

(It is important that, where the medical practitioner or midwife considers that the confinement took place before the week^(c) in which it was expected, the following paragraph should be completed. In any other case, it should be struck through).

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I certify that, in my opinion, it was to be expected that she would be confined in the week containing the day of 19..... .

.....
Date of signing Medical Practitioner/Midwife

(If Midwife, add Registered Number or address and date of qualification)

.....
.....)

NOTES: –

- (a) Confinement is so defined in the Social Insurance Laws that this certificate can only be given –
 - (i) where labour results in the issue of a living child, or
 - (ii) where labour results in the issue of a dead child and pregnancy has lasted for at least 28 weeks.

The certificate must not be given in any other circumstances.

- (b) Insert number of children, if more than one.
- (c) A contribution week is one which begins on a Monday. "

1 For subsequent amendments, see the consolidated text of the Social Insurance (Medical Certification) (Guernsey) Ordinance, 1968.