

Island of Guernsey

Ordinance of the States **XVIII**

1989

Made 27th September, 1989.

The Social Insurance (Rates of Contributions and Benefits, etc.) (Guernsey) Ordinance, 1989

THE STATES, in pursuance of their Resolution of the 28th day of June, 1989 and in exercise of the powers conferred upon them by sections 5(1), 8, 19, 48(2), 49(4), 50(1), 57, 60, 61, 62 and 101 of the Social Insurance (Guernsey) Law, 1978, as amended(a), hereby order:—

1. (1) In this Ordinance, except where the context otherwise requires— Interpretation.

“education” means full-time education at a recognised educational establishment, that is to say, an establishment recognised by the Authority as being, or as comparable to, a university, college or school;

“the Law” means the Social Insurance (Guernsey) Law, 1978;

(a) Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; No. IV of 1985 and Nos. III and XXXI of 1986.

“training” means full-time training at a course approved by the Authority;

and any other expressions have the same meanings as in the Law.

(2) The Interpretation (Guernsey) Law, 1948(*b*), shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

(3) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

Percentage rates of primary and secondary Class 1 Contribution rate.

2. (1) For the purposes of the Law, the percentage rate of a primary Class 1 contribution shall be 3.9 per centum.

(2) For the purposes of the Law, the percentage rate of a secondary Class 1 contribution shall be 4.8 per centum.

Upper weekly and upper monthly earnings limits.

3. For the purposes of the Law, the upper weekly earnings limit shall be three hundred and twelve pounds, and the upper monthly earnings limit shall be one thousand three hundred and fifty-two pounds.

Percentage rate of Class 2 contributions.

4. For the purposes of the Law, the percentage rate of a Class 2 contribution shall be 7.7 per centum.

Rates of Class 3 contributions.

5. (1) The weekly rates of Class 3 contributions in respect of:—

(*b*) Ordres en Conseil Vol. XIII, p. 355.

- (i) insured persons who would normally rely upon employed contributor's employment for their livelihood, and
- (ii) employed persons who are liable to pay a Class 3 contribution in any week by virtue of the provisions of section 9 of the Law,

shall be as follows, that is to say:—

- (a) in the case of males who have attained the age of eighteen years but have not attained pensionable age, five pounds and twenty-one pence;
- (b) in the case of females who have attained the age of eighteen years but have not attained pensionable age, four pounds and seventeen pence;
- (c) in the case of males under the age of eighteen years, three pounds and fifty-three pence; and
- (d) in the case of females under the age of eighteen years, two pounds and ninety-one pence.

(2) The weekly rates of Class 3 contributions in respect of insured persons other than insured persons to whom sub-section (1) of this section applies shall be as follows, that is to say:—

- (a) in the case of males who have attained the age of eighteen years but have not attained pensionable age, fourteen pounds and thirty-six pence;
- (b) in the case of females who have attained the age of eighteen years but have not attained pensionable age, eleven pounds and fifty pence;

- (c) in the case of males under the age of eighteen years, nine pounds and seventy-four pence; and
- (d) in the case of females under the age of eighteen years, eight pounds and one penny.

Variation of provisions of the Law as to the States' grant.

6. In subsection (1) of section 17 of the Law, for the words "fifty-four per centum" there shall be substituted the words "fifty-seven per centum".

Rates and amounts of benefits.

7. (1) For the purposes of the Law, the weekly rates of the several descriptions of benefit set out in the first column of Part I of the Schedule to this Ordinance shall be the rates specified in relation to each of those descriptions of benefit in the second column of that Part of that Schedule, and the amounts by which those rates may be increased in respect of a child or children or adult dependant, as the case may be, shall be the appropriate amount specified in the third, fourth and fifth columns of that Part of that Schedule.

(2) For the purposes of the Law, where the extent of the disablement is assessed for the period to be taken into account as amounting to 20 per centum or more, industrial disablement benefit shall be payable for that period at the appropriate weekly rate specified in Part II of the Schedule to this Ordinance.

(3) For the purposes of the Law, the amounts of maternity grant and death grant shall be the appropriate amounts specified in relation thereto in Part III of the Schedule to this Ordinance.

(4) The maximum amount by which the weekly rate of industrial disablement benefit may be increased under section 50 of the Law, where the beneficiary requires constant attendance, shall be fifty-two pounds.

8. The amount of the Guernsey Health Service Fund Allocation in respect of each contribution year shall be the sum of the following amounts, that is to say:—

The Guernsey Health Service Fund allocation.

- (a) 16.09 per centum of the aggregate amount of primary and secondary Class 1 contributions (excluding secondary Class 1 contributions paid or payable in respect of employed persons who have attained pensionable age and are not liable to pay primary Class 1 contributions) paid or payable in respect of that year by or in respect of employed persons, other than employed persons to whom paragraph (b) of this section relates;
- (b) 13.21 per centum of the aggregate amount of primary and secondary Class 1 contributions (excluding secondary Class 1 contributions paid or payable in respect of employed persons who have attained pensionable age and are not liable to pay primary Class 1 contributions) paid or payable in respect of that year by or in respect of employed persons (being women who are or have been married) where those Class 1 primary contributions have been paid or are payable at the reduced rate under and in accordance with regulations made under section 97 of the Law;
- (c) 14.58 per centum of the aggregate amount of Class 1 secondary contributions paid or payable in respect of that year in respect of employed persons who have attained pensionable age and are not liable to pay Class 1 primary contributions;
- (d) 18.18 per centum of the aggregate amount of Class 2 contributions paid or payable in respect of that year;

- (e) the product of one pound and eight pence and the number of Class 3 contributions paid or payable in respect of that year by insured persons liable to pay contributions at one of the rates set out in section 5(1) of this Ordinance; and
- (f) the product of two pounds and sixteen pence and the number of Class 3 contributions paid or payable in respect of that year by insured persons liable to pay contributions at one of the rates set out in section 5(2) of this Ordinance.

Repeals. 9. The Social Insurance (Rates of Contributions and Benefits, etc.) (Guernsey) Ordinance, 1978(c), the Social Insurance (Rates of Contributions and Benefits, etc.) (Guernsey) Ordinance, 1987(d) and the Social Insurance (Rates of Contributions and Benefits, etc.) (Guernsey) Ordinance, 1988(e), are hereby repealed.

Extent. 10. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Citation. 11. This Ordinance may be cited as the Social Insurance (Rates of Contributions and Benefits, etc.) (Guernsey) Ordinance, 1989.

Commencement. 12. (1) This Ordinance, other than sections 2, 3, 4, 5, 6 and 8 thereof, shall come into force on the 6th day of November, 1989.

(2) Sections 2, 3, 4, 5, 6 and 8 of this Ordinance shall come into force on the 1st day of January, 1990.

(c) Recueil d'Ordonnances Tome XXI, p. 163.

(d) No. XXIV of 1987.

(e) No. XXIX of 1988.

SCHEDULE

Section 7

RATES AND AMOUNTS OF BENEFITS

PART I

*Benefit, other than industrial disablement benefit,
maternity grant and death grant*

Description of benefit (1)	Weekly rate (2)	Increase for only child or elder or eldest child (where payable) (3)	Increase for each additional child (where payable) (4)	Increase for adult dependant (where payable) (5)
1. Unemployment benefit	£46.00	£4.65	£4.65	£28.00
2. Sickness benefit	£46.00	£4.65	£4.65	£28.00
3. Invalidity benefit	£52.00	£4.65	£4.65	£31.00
4. Industrial injury benefit— (a) in the case of a person (other than a person under the age of 18 years who was, at the time of the rele- vant accident, undergoing a course of education or training)— (i) who was, at the time of the relevant acci- dent, an em- ployed person within the meaning of Part I of the Law or a self- employed per- son	£46.00	£4.65	£4.65	£28.00

Description of benefit (1)	Weekly rate (2)	Increase for only child or elder or eldest child (where payable) (3)	Increase for each additional child (where payable) (4)	Increase for adult dependant (where payable) (5)
(ii) who was, at the time of the relevant accident, gainfully occupied under a contract of service but was not such an employed person nor a self-employed person.	£10.00	—	—	—
(b) in the case of a person under the age of 18 years who was, at the time of the relevant accident, undergoing a course of education or training	£10.00	—	—	—
5. Widow's allowance	£86.00	£9.00	£9.00	—
6. Widowed mother's allowance—				
(a) where payable by virtue of section 31(1)(a) of the Law	£62.00	£9.00	£9.00	—
(b) in any other case	£62.00	—	—	—
7. Widow's pension	£62.00	—	—	—
8. Guardian's allowance	£24.00	—	—	—

Description of benefit (1)	Weekly rate (2)	Increase for only child or elder or eldest child (where payable) (3)	Increase for each additional child (where payable) (4)	Increase for adult dependant (where payable) (5)
9. Old age pension—				
(a) where the pension is payable to a woman by virtue of her husband's insurance and he is alive	£38.00	£9.00	£9.00	—
(b) in any other case	£62.00	£9.00	£9.00	£38.00
10. Maternity allowance	£46.00	£4.65	£4.65	£28.00
11. Child's special allow- ance	£ 9.00	—	£9.00	—

PART II

Industrial disablement benefit

Degree of disablement	Weekly rate
100 per centum	£56.00
90 per centum	£50.40
80 per centum	£44.80
70 per centum	£39.20
60 per centum	£33.60
50 per centum	£28.00
40 per centum	£22.40
30 per centum	£16.80
20 per centum	£11.20

PART III

Maternity grant and death grant

Description of grant	Amount
1. Maternity grant	£128.00
2. Death grant, where the person in respect of whose death the grant is payable was at his death—	
(a) under the age of 3 years	£60.00
(b) between the ages of 3 years and 6 years	£100.00
(c) between the ages of 6 years and 18 years	£150.00
(d) over the age of 18 years	£200.00

K. H. TOUGH,

Her Majesty's Greffier.