

Island of  Guernsey

Ordinance of the States

**XVII
2000**

Made 29th November, 2000
Coming into operation..... 5th January, 2001

**The Supplementary Benefit (Implementation)
(Amendment) (No. 2) Ordinance, 2000**

The Supplementary Benefit (Implementation)
(Amendment) (No. 2) Ordinance, 2000

THE STATES, in pursuance of their Resolution of the 28th day of September, 2000^a, and in exercise of the powers conferred upon them by sections 3(2) and 15 of the Supplementary Benefit (Guernsey) Law, 1971^b, as amended, hereby order:-

Amendment of Ordinance

1. In the Supplementary Benefit (Implementation) Ordinance, 1971, as amended^c-

(a) for paragraph 1(a) of the First Schedule substitute-

"(a) the weekly requirements of any person shall be taken to be the aggregate of such of the amounts specified in Part II of this Schedule as are applicable to his case, provided that the weekly requirements of any person-

(i) whose capital requirements exceed £20,000; or

(ii) in the case of a person who is residing in a residential home, nursing home or the Guernsey Cheshire Home, whose capital resources exceed £40,000,

shall be nil; and";

(b) for paragraph 3(2) of the First Schedule substitute-

"(2) For the purposes of subparagraph (1) the limit of the weekly income-

^a Article XVII of Billet d'État No. XX of 2000.

^b Ordres en Conseil Vol. XXIII, p. 26; Vol. XXXI, p. 278; No. XIV of 1993; No. VI of 1999; and Recueil d'Ordonnances, Tome XXIV, p. 468 and Tome XXVI, p. 177.

^c Recueil d'Ordonnances Tome XVII, pp. 139 and 179; Tome XVIII, p. 119; Tome XXI, p. 452; Tome XXIII, p. 314; No. XV of 1989; No. XX of 1994; No. XXII of 1995; No. XXXII of 1998; and Nos. XIII and XXII of 1999; and No. IV of 2000.

- (a) of a person whose requirements are in accordance with paragraphs 5 and 8 of this Schedule shall be £200.00;
- (b) of a person who is residing in a residential home and whose requirements are in accordance with paragraph 7 of this Schedule shall be the sum of-
 - (i) a personal allowance of £15.75; and
 - (ii) £320.00;
- (c) of a person who is residing in a hospital, a nursing home or the Guernsey Cheshire Home as a patient and whose requirements are in accordance with paragraph 7 of this Schedule shall be the sum of-
 - (i) a personal allowance of £15.75; and
 - (ii) £460.00.";
- (c) for paragraph 5 of the First Schedule substitute-

"Normal requirements.

5. (1) The requirements of persons who are continuously in need of a supplementary benefit for a period not exceeding 6 months shall be as follows-

- (a) for a husband and wife or other persons falling within paragraph 2(1) of this Schedule, £122.25;
- (b) for a person living alone or a householder not falling within subparagraph (a) who is directly responsible for household necessities and rent (if any), £76.75;
- (c) for any other person-
 - (i) aged 18 years or over, £64.50;
 - (ii) aged 16 years or over but less than 18 years, £46.50;

- (iii) aged 13 years or over but less than 16 years, £35.25;
- (iv) aged 11 years or over but less than 13 years, £26.75;
- (v) aged 5 years or over but less than 11 years, £24.50;
- (vi) aged less than 5 years, £18.25.

(2) The requirements of persons to whom a supplementary benefit has been payable for a continuous period of 6 months shall be as follows-

- (a) for a husband and wife or other persons falling within paragraph 2(1) of this Schedule, £149.75;
- (b) for a person living alone or a householder not falling within subparagraph (a) who is directly responsible for household necessities and rent (if any), £91.75;
- (c) for any other person-
 - (i) aged 18 years or over, £80.25;
 - (ii) aged 16 years or over but less than 18 years, £57.00;
 - (iii) aged 13 years or over but less than 16 years, £42.00;
 - (iv) aged 11 years or over but less than 13 years, £32.75;
 - (v) aged 5 years or over but less than 11 years, £28.25;
 - (vi) aged less than 5 years, £22.50.

(3) For the purposes of reckoning any continuous period of 6 months for the purposes of subparagraph (2), any period in the aggregate not exceeding 28 days, during which a supplementary benefit has not been payable, shall be disregarded.

(4) Where a claimant's resources are such that-

- (a) no supplementary benefit is payable to him; but
- (b) if he had been in receipt of a supplementary benefit for a continuous period of 6 months, a supplementary benefit would now be payable to him at the higher rate;

the Administrator may, if he considers it just in the circumstances of the particular case, deem the claimant to be a person to whom a supplementary benefit has been payable for a continuous period of 6 months."

- (d) for paragraph 6(1)(b) of the First Schedule substitute-

"(b) in any other case (unless there appears to the Administrator to be special circumstances or the person is aged less than 18 years) a reasonable share as determined by the Administrator of the rent payable by the householder of whose household the applicant is a member, but not less than £2.50 nor more than £15.00.";

- (e) in paragraph 13 of the First Schedule for the words "two thousand pounds" substitute "£5,000";

- (f) for paragraph 14 of the First Schedule substitute-

"14. The capital resources taken into account, together with any income derived therefrom, shall be treated as equivalent to a weekly income, so far as their value exceeds £5,000, of 15 pence for each complete £25.";

- (g) in paragraph 15(1) of the First Schedule for the words "fifteen pounds" substitute "£20.00";

- (h) in paragraph 16 of the First Schedule for the word "ten" in the heading and the first line, substitute "twenty";

- (i) in paragraph 17 of the First Schedule for the word "five" in the heading and subparagraph (1) substitute "ten".

Repeals

2. The Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 1999^d is repealed.

Extent.

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

Citation.

4. This Ordinance may be cited as the Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2000.

Commencement.

5. This Ordinance shall come into force on the 5th January, 2001.

^d Ordinance No. XXII of 1999.