

Island of  Guernsey

Ordinance of the States

**XXIV
2003**

Made 30th October, 2003
Coming into operation 9th January, 2004

**The Supplementary Benefit
(Implementation) (Amendment)
(No. 2) Ordinance, 2003**

**The Supplementary Benefit (Implementation)
(Amendment) (No. 2) Ordinance, 2003**

THE STATES, in pursuance of their Resolution of the 24th day of September, 2003^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 and all other powers enabling them, hereby order:-

Amendment of Ordinance

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

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

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

(a) of a person whose requirements are in accordance with paragraphs 5 and 8 of this Schedule shall be £263.00;

^a Article XVI of Billet d'État No. XXI of 2003.

^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; Ordinance No. XV of 1989; No. XX of 1994; No. XXII of 1995; No. XXXII of 1998; Nos. XIII and XXII of 1999; Nos. IV and XVII of 2000; Nos. XVII and XLVI of 2001; No. XXIV of 2002; and No. VIII of 2003.

(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 £20.00; and

(ii) £363.00;

(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 £20.00; and

(ii) £522.00.”;

(b) for paragraphs 5(1) and (2) of the First Schedule substitute-

“(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, £138.80;

(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), £93.70;

(c) for any other person who is not a householder, £73.60;

(d) for a member of a household -

(i) aged 16 years or over, £62.35;

(ii) aged 12 years or over but less than 16 years, £38.55;

(iii) aged 5 years or over but less than 12 years, £27.95;

(iv) aged less than 5 years, £20.65.

(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, £171.75;

(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), £115.95;

(c) for any other person who is not a householder, £92.00;

(d) for a member of a household -

(i) aged 16 years or over, £77.95;

(ii) aged 12 years or over but less than 16 years, £48.20;

(iii) aged 5 years or over but less than 12 years, £34.95;

(iv) aged less than 5 years, £25.80.”;

(c) in paragraph 6(1)(a) of the First Schedule immediately after “having regard to the circumstances of that person” insert “and the nature and standard of the accommodation concerned; and for the avoidance of doubt, and without limitation, the Administrator may consult the Rent Officer (within the meaning of the Rent Control (Guernsey) Law, 1976) in relation to the level of rent charged for the accommodation”;

(d) for paragraph 12 of the First Schedule substitute -

“ 12. Capital resources which consist of -

(a) business premises or stock in trade, or both,

which are wholly or partly used as the means of livelihood, other than by way of unearned income; or

- (b) an interest in an asset which cannot reasonably be converted into a sum of money by selling that interest or borrowing money upon the security thereof,

may be disregarded for such period as the Administrator in his discretion so directs.”;

- (e) in paragraph 17(2) of the First Schedule for "ten" wherever appearing substitute "20";

- (f) for paragraph 18 of the First Schedule substitute -

“ 18. If a person -

- (a) deprives himself of any resources; or
- (b) neglects to claim, or waives or abandons, any right or benefit to which he is or may be entitled,

for the purpose of securing a supplementary benefit or increasing the amount thereof, those resources and that right or benefit may be taken into account as if they were still his or he were in receipt of any sum of money due under or pursuant to or representing that right or benefit.”.

Extent.

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

Citation.

3. This Ordinance may be cited as the Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2003.

Commencement.

4. This Ordinance shall come into force on the 9th day of January, 2004.