

Island of  Guernsey

Ordinance of the States

**VIII
2005**

Made	29th June, 2005
Coming into operation	30th June, 2005

**The Supplementary Benefit
(Implementation) (Amendment)
Ordinance, 2005**

**The Supplementary Benefit (Implementation)
(Amendment) Ordinance, 2005**

THE STATES, in pursuance of their Resolution of the 27th April, 2005^a, and in exercise of the powers conferred on them by sections 3 and 15 of the Supplementary Benefit (Guernsey) Law, 1971, as amended^b, and all other powers enabling them, hereby order:-

Amendment of Ordinance.

1. Immediately after section 24 of the Supplementary Benefit (Implementation) Ordinance, 1971, as amended^c, insert -

"Suspension or reduction of a payment of a supplementary benefit in respect of a person actively seeking employment.

24A. (1) The following provisions of this section apply in respect of an applicant (referred to hereinafter as a "**relevant applicant**") to whom the Law applies, because he is a person of a class described in section 1(1)(j) of the Supplementary Benefit (Classes of persons to whom the Law applies) Ordinance, 2005.

^a Article VIII of Billet d'État No. IV of 2005.

^b Ordres en Conseil Vol. XXIII, p. 26; amended by Vol. XXVI, p. 292; Vol. XXXI, p. 278 and Order in Council No. VI of 1999; has effect in Alderney by Recueil d'Ordonnances Tome XVII, p. 168; Recueil d'Ordonnances Tome XXIV, p. 468 and Tome XXVI, pp. 177 and 317.

^c Recueil d'Ordonnances Tome XVII, pp. 139 and 179; Tome XVIII, pp. 119 and 126; Tome XIX, pp. 23, 106, 216 and 280; Tome XX, pp. 81, 158, 359 and 392; Tome XXI, pp. 44, 72, 156, 283 and 452; Tome XXII, pp. 60, 185 and 537; Tome XXIII, pp. 48, 277, 314 and 453; Tome XXIV, pp. 88, 471 and 495; Tome XXV, pp. 49, 168 and 338; Tome XXVI, pp. 75, 194, 319, and 458; Ordinance No. 29 of 1996; No. 30 of 1997; 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; Nos. VIII and XXIV of 2003 and No. XXXV of 2004. Has effect in Alderney, as amended from time to time, by Recueil d'Ordonnances Tome XVII, p. 168; and Tome XXVI, p. 462.

- (2) The Administrator may -
- (a) suspend the payment of a supplementary benefit to a relevant applicant, for such period not exceeding ten weeks,
 - (b) reduce the amount of a supplementary benefit payable to a relevant applicant, by such amount and for such period as the Administrator may determine, or
 - (c) both suspend and reduce the payment and amount of a supplementary benefit payable to a relevant applicant,

in any of the circumstances described in subsection (3).

- (3) The circumstances for the purposes of subsection (2) are -
- (a) that the relevant applicant has -
 - (i) lost his employment through his misconduct, or
 - (ii) voluntarily left his employment without just cause,
 - (b) that after a situation in any suitable employment has been notified to him as vacant or about to become vacant, he has -

- (i) without good cause refused or failed to apply for that situation, or
 - (ii) refused to accept that situation when offered to him,
- (c) that he has neglected to avail himself of a reasonable opportunity of suitable employment,
- (d) that he has without good cause refused or failed to carry out any recommendations given to him in writing by an officer of, or other person acting on behalf of, the Department with a view to assisting him to find suitable employment, being recommendations which were reasonable having regard to his circumstances, or
- (e) that he has without good cause refused or failed to avail himself of a reasonable opportunity of receiving training approved by the Administrator in his case for the purpose of becoming or keeping fit for entry into, or return to, regular employment: provided always that employment shall not be deemed to be employment suitable in the case of any person if it is employment in a situation vacant in consequence of a stoppage of work due to a trade dispute.

(4) In addition, or as an alternative, to the exercise of his powers under subsection (2), the Administrator may -

- (a) reduce the amount of a supplementary benefit payable to a relevant applicant who has lost his

employment by reason of a stoppage of work due to a trade dispute at his place of employment, for such period as the Administrator may determine, but in so doing the Administrator may continue to take into account the needs of the dependants of that applicant, or

(b) in the particular circumstances of any relevant applicant -

(i) impose such reasonable conditions concerning the payment, or the amount, of a supplementary benefit payable to that applicant, as may seem to the Administrator to be warranted by those circumstances, where it appears to him reasonably necessary for the purpose of preventing inequality or injustice to the general body of employed persons, and

(ii) on the breach whereof, he may suspend or reduce the payment or amount of a supplementary benefit for such period, not exceeding ten weeks, as he may determine."

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) Ordinance, 2005.

Commencement.

4. This Ordinance shall come into force on the 30th June 2005.