

GUERNSEY STATUTORY INSTRUMENT

2012 No. 16

**The Social Insurance (Benefits) (Amendment) Regulations,  
2012**

<i>Made</i>	<i>29th March, 2012</i>
<i>Coming into operation</i>	<i>2nd April, 2012</i>
<i>Laid before the States</i>	<i>, 2012</i>

**THE SOCIAL SECURITY DEPARTMENT**, in exercise of the powers conferred upon it by sections 64 and 116 of the Social Insurance (Guernsey) Law, 1978, as amended<sup>a</sup>, and of all other powers enabling it in that behalf, hereby orders:-

**Amendment.**

1. Immediately after regulation 14 of the Social Insurance (Benefits) Regulations, 2003, as amended<sup>b</sup>, insert -

"14A. The Department may deduct, or authorise the deduction, from any sum payable by way of benefit any fee, cost or charge (including any bank charge) incurred by the Department, or by any other person or body, in connection with making payment of that sum including (without limitation)

<sup>a</sup> Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59; Vol. XXXIV, pp. 397 and 510; Vol. XXXV(1), p. 161; Vol. XXXVI, pp. 123 and 343; Vol. XXXVIII, p. 59; Vol. XXXIX, p. 107; Vol. XL, p. 351; Orders in Council No. IX of 2001; No XXIV of 2003; No. XI of 2004; No. XVIII of 2007; Ordinance No. XIV of 1993 (Tome XXVI, p. 177), Ordinance No. XLII of 2009 and Ordinance No. XVII of 2011.

<sup>b</sup> G.S.I. 2003 No. 37; G.S.I. 2004 No. 45; G.S.I. 2005 Nos. 43 and 47; G.S.I. 2006 Nos. 35 and 48, G.S.I. 2007 No. 44; G.S.I. 2008 No. 66; G.S.I. 2009 Nos. 37 and 93; G.S.I. 2010 No. 117; G.S.I 2011 Nos. 32 and 54.

any transaction or other charge incurred for the purpose of effecting the payment of that sum to a beneficiary who is currently resident outside Guernsey."

**Interpretation.**

2. (1) Except where the context otherwise requires, any reference in these Regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

**Citation, commencement and extent.**

3. (1) These Regulations may be cited as the Social Insurance (Benefits) (Amendment) Regulations, 2012 and shall come into force on the 2nd day of April 2012.

(2) These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Dated this 29th day of March, 2012.



Mark H Dorey

Minister of the Social Security Department

for and on behalf of the Department

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<sup>c</sup> Orders en Conseil Vol. XIII, p. 355.

## EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, made under Section 64(4)(f) of the Social Insurance (Guernsey) Law, 1978 enable the Social Security Department to deduct, or authorise the deduction, from any sum payable by way of benefit any fee, cost or charge (including any bank charge) incurred by the Department, or by any other person or body, in connection with making payment of that sum including (without limitation) any transaction or other charge incurred for the purpose of effecting the payment of that sum to a beneficiary who is currently resident outside Guernsey.

The Department has authorised its overseas banking provider to deduct transaction costs from benefit payments to overseas beneficiaries, with effect from 2 April 2012, except where such a deduction is prohibited under the terms of any agreement with the government of any country outside Guernsey providing for reciprocity in social security matters.