

GUERNSEY STATUTORY INSTRUMENT

1972 - No. 48

THE HEALTH SERVICE (PHARMACEUTICAL) (CONTRIBUTIONS) (GUERNSEY)
REGULATIONS, 1972

Made 27th October, 1972
Laid before the States
Coming into operation 4th December, 1972

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by subsection (3) of section two and section four of the Health Service (Pharmaceutical) (Guernsey) Law, 1972, and of all other powers enabling it in that behalf, hereby orders:-

Interpretation

1.(1) In these regulations, except where the context otherwise requires, the expression "the Law" means the Health Service (Pharmaceutical) (Guernsey) Law, 1972, and any other expression has the same meaning as in that Law, so, however, that the expression "medical practitioner" shall be construed as including a person who is practising in Alderney as a medical practitioner and who is approved by the Authority.

(2) 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shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

(3) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of these regulations as it applies to the interpretation of a Guernsey enactment.

Ordinances and regulations made under the Social Insurance Law to have effect in relation to health service contributions.

2. The Ordinances and regulations made under the Social Insurance Law and specified in the first column of the Schedule to these regulations shall have effect as provided in section four of the Law to the extent specified in relation thereto in the second column of that Schedule and subject to the modifications, adaptations and exceptions specified in relation thereto in the third column of that Schedule.

Exception of certain health service contributors from liability to pay health service contributions

3.(1) A person who is liable to pay a health service contribution as a person of any description specified in paragraph (b) of subsection (1) of section two of the Law and who -

(a) is an employed person or self-employed person for the purposes of the Social Insurance Law, or

(b) if he were an insured person, would be an employed person or self-employed person for the purposes of that Law,

shall be excepted from liability to pay a health service contribution for any week if the Authority is satisfied, upon the production of evidence of incapacity for work by means of a certificate given by a medical practitioner or by such other means as the Authority considers sufficient in the circumstances of the case, that he would be excepted under the Social Insurance Law from liability to pay an insurance contribution for that week by reason of incapacity for work if he were liable to pay insurance contributions.

(2) For the purpose of paragraph (1) of this regulation -

- (a) the expression "incapacity for work" has the same meaning as in the Social Insurance Law;
- (b) a certificate given by a medical practitioner shall be in the form set out in Part I of the Schedule to the Social Insurance (Medical Certification) (Guernsey) Ordinance, 1968, and shall be given in accordance with the provisions of section two of that Ordinance.

Citation and commencement

4.(1) These regulations may be cited as the Health Service (Pharmaceutical) (Contributions) (Guernsey) Regulations, 1972.

(2) These regulations shall come into operation on the fourth day of December, nineteen hundred and seventy-two.

Dated this *Twenty-seventh* day of *October*, nineteen hundred and seventy-two.

President of the States Insurance Authority,
for and on behalf of the Authority.

SCHEDULE

Regulation two

ORDINANCES AND REGULATIONS MADE UNDER THE SOCIAL INSURANCE LAW TO HAVE EFFECT IN
RELATION TO HEALTH SERVICE CONTRIBUTIONS

(1) <u>Ordinances and Regulations</u>	(2) <u>Extent of application</u>	(3) <u>Modifications, adaptations and exceptions</u>
The Social Insurance (Stamps) (Guernsey) Ordinance, 1964.	The whole Ordinance	
The Social Insurance (Determination of Claims and Questions) (Guernsey) Ordinance, 1964.	Part I, subsection (1) of section two (other than paragraph (a), paragraph (b) and the proviso thereto), PART III (other than subsection (2) of section five) and section fifteen.	
The Social Insurance (Contributions) (Guernsey) Regulations, 1964.	Regulation one	
	Regulation eighteen	
	Regulation nineteen	
	Regulation twenty	There shall be inserted immediately after paragraph (8), the following paragraph - "(9) Notwithstanding anything in this regulation contained, any sum recovered in pursuance of the provisions of this regulation and attributable to unpaid health service contributions payable under the Health Service

(1)	(2)	(3)
		(Pharmaceutical) (Guernsey) Law, 1972, shall be paid into the Guernsey Health Service Fund established under that Law."
The Social Insurance (Collection of Contributions) (Guernsey) Regulations, 1964.	The whole of the regulations.	There shall be inserted in the proviso to paragraph (5) of regulation three, immediately before paragraph (b) thereof, the following paragraph - "(aa) in the case of an insured person excepted from liability to pay contributions by regulations made under subsection (3) of section two of the Health Service (Pharmaceutical) (Guernsey) Law, 1972 (which relates to health service contributions) unless the Authority so directs, or unless and until, apart from such exception, no contributions would be payable in his case; or".

EXPLANATORY NOTE

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

These Regulations provide that the Social Insurance (Stamps) (Guernsey) Ordinance, 1964, and that certain provisions of the Social Insurance (Determination of Claims and Questions) (Guernsey) Ordinance, 1964, the Social Insurance (Contributions) (Guernsey) Regulations, 1964, and the Social Insurance (Collection of Contributions) (Guernsey) Regulations, 1964, shall have effect in relation to health service contributions. Regulation 3 provides for the exception of certain health service contributors from liability to pay health service contributions by reason of incapacity for work.