

GUERNSEY STATUTORY INSTRUMENT

1971 - No. 63

The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Amendment) (No. 2) (Guernsey) Regulations, 1971.

Made	1971
Laid before the States	1971
Coming into Operation	6th December, 1971

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by sections twenty-three, thirty-seven, sixty-five, seventy-two, seventy-five, seventy-six and seventy-seven of the Social Insurance (Guernsey) Law, 1964, as amended, and of all other powers enabling it in that behalf, hereby orders:-

PART I

INTERPRETATION

Interpretation.

1. (1) In these regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:-

" the principal Law" means the Social Insurance (Guernsey) Law, 1964;

" the relevant day" means the sixth day of December, nineteen hundred and seventy-one;

and any other expressions have the same meanings as in the principal Law.
- (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be construed as including a reference to that enactment or those regulations, as the case may be, as amended, extended, repealed, replaced or revoked by or under any other enactment or by any other regulations.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.

PART II

HIGHER RATES OF BENEFIT PAYABLE UNDER REGULATIONS.

Application of Part II.

2. The following provisions of this Part of these regulations shall have effect subject to the provisions of regulation nine of these regulations.

Higher rates of unemployment and sickness benefit payable at reduced rates owing to partial satisfaction of contribution conditions.

3. The Second Schedule to the Social Insurance (Unemployment and Sickness Benefit) (Guernsey) Regulations, 1964 (which sets out the reduced weekly rates of unemployment and sickness benefit and of an increase of any such benefit in respect of an adult dependant payable where the relevant contribution conditions are partially satisfied) is hereby repealed and the Schedule set out in the First Schedule to these regulations is hereby substituted therefor.

Higher rates of maternity allowance payable at reduced rates owing to partial satisfaction of contribution conditions.

4. The table following paragraph (2) of regulation nine of the Social Insurance (Maternity Benefit) (Guernsey) Regulations, 1971 (which sets out the reduced weekly rates of maternity allowance and of an increase of any such allowance in respect of an adult dependant, payable where the relevant contribution conditions are partially satisfied) is hereby repealed and the following table is hereby substituted therefor:-

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Numbers including the number of contributions paid or credited in respect of the relevant period.	Weekly rate	
	Of maternity allowance without increase.	Of increase in respect of adult dependant.
48 - 49	£4.80	£2.90
46 - 47	£4.65	£2.75
43 - 45	£4.30	£2.60
40 - 42	£4.00	£2.40
37 - 39	£3.70	£2.20
34 - 36	£3.40	£2.05
30 - 33	£3.00	£1.80
26 - 29	£2.65	£1.55

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Amendments to Widow's Benefit and Old Age Pensions Regulations.

5. The Social Insurance (Widow's Benefit and Old Age Pensions) (Guernsey) Regulations, 1971, are hereby amended as follows:-

(a) in regulation three thereof -

(i) the words "regulation six" and "regulation nine" are hereby repealed and the words "regulation five" and "regulation eight" are hereby respectively substituted therefor;

- (ii) the figures "1970" are hereby repealed and the figures "1971" are hereby substituted therefor;
- (iii) the words "which sub-paragraph specifies" are hereby repealed and the words "which sub-paragraphs specify" are hereby substituted therefor;
- (b) in item (ii) of sub-paragraph (a) of paragraph (3) of regulation seventeen thereof, the words and figures "columns (3) and (4)" are hereby repealed and the words and figures "columns (2) and (3)" are hereby substituted therefor;
- (c) in item (ii) of sub-paragraph (a) of paragraph (3) of regulation eighteen thereof, the word and figure "column (4)" are hereby repealed and the word and figure "column (3)" are hereby substituted therefor;
- (d) the First and Second Schedules thereto (which set out the reduced weekly rate of widow's benefit and old age pension and of an increase of an old age pension in respect of an adult dependant, payable where the contribution conditions are partially satisfied) are hereby repealed and the Schedules set out in the Second and Third Schedules to these regulations are hereby respectively substituted therefor.

Amendments to the Pensions, Existing Contributors Regulations.

6. In paragraph (2A) of regulation five of the Social Insurance (Pensions, Existing Contributors) (Transitional) (Guernsey) Regulations, 1964, the words "one pound six shillings" and "two pounds one shilling" are hereby repealed and the words "one pound and sixty-five new pence" and "two pounds and fifty-five new pence" are hereby respectively substituted therefor.

PART III

MISCELLANEOUS PROVISIONS

Amendment to the New Entrants Regulations.

7. The Schedule to the Social Insurance (New Entrants) (Transitional) (Guernsey) Regulations, 1964, is hereby repealed and the Schedule set out in the Fourth Schedule to these regulations is hereby substituted therefor.

Amendment to the Married Women Regulations.

8. In paragraph (2) of regulation 1A of the Social Insurance (Married Women) (Guernsey) Regulations, 1964, the words "three new pence" are hereby repealed and the words "four new pence" are hereby substituted therefor.

Persons not ordinarily resident in Guernsey.

9. (1) Notwithstanding the provisions of these or any other regulations or of any Ordinance made under the provisions of section eleven or section thirty-three of the principal Law, but subject to the provisions of this regulation, if a person is not ordinarily resident in Guernsey immediately

before the relevant day, then unless and until that person becomes ordinarily resident in Guernsey the following provisions shall apply:-

- (a) if, immediately before the relevant day, that person is entitled to an old age pension (including, for this purpose, a contributory old age pension), he shall be disqualified for receiving any additional old age pension;
- (b) if that person is a married woman who, immediately before the relevant day, is not entitled as is mentioned in the foregoing sub-paragraph and whose husband is then so entitled and not ordinarily resident in Guernsey, she shall be disqualified for receiving any additional widow's benefit or additional old age pension by virtue of her husband's insurance;
- (c) if, immediately before the relevant day, she is entitled to widow's benefit, she shall be disqualified for receiving any additional widow's benefit or additional old age pension by virtue of her husband's insurance;
- (d) if, immediately before the relevant day, that person is entitled to an industrial disablement benefit, he shall be disqualified for receiving any additional industrial disablement benefit.

(2) Notwithstanding as aforesaid, if a person is not ordinarily resident in Guernsey immediately before the relevant day but that person is entitled to a guardian's allowance or child's special allowance in respect of a child immediately before that day, any person who would otherwise be entitled to any additional guardian's allowance or child's special allowance in respect of that child shall be disqualified for receiving any additional guardian's allowance or child's special allowance in respect of that child unless and until the child becomes (or is) included in the family of a person who is ordinarily resident in Guernsey.

(3) For the purpose of this regulation, references to additional benefit of any description are to be construed as referring to additional benefit of that description by virtue (either directly or indirectly) of any Ordinance made under the provisions of section eleven or section thirty-three of the principal Law or of these regulations.

(4) The disqualifications for the receipt of additional benefit contained in this regulation shall not apply -

- (a) to a person for any period during which he is in Guernsey; or
- (b) to a woman who, immediately before the relevant day, is entitled to an old age pension by virtue of her own insurance or to an old age pension by virtue of her husband's insurance, in relation to an old age pension by virtue of her husband's insurance, or to an old age pension by virtue of her own insurance, as the case may be, to which she thereafter becomes entitled.

(5) For the purpose of this regulation, a person shall be treated as entitled to any benefit immediately before the relevant day if he would then have been so entitled but for any one or more of the following causes, namely:-

- (a) any delay or failure to make a claim;
- (b) any disqualification for the receipt of benefit;
- (c) the cohabitation of a widow with a man as his wife;
- (d) the absence of any child form Guernsey;
- (e) the provision of subsection (5) of section twenty of the principal Law (which relates to the disentitlement of a woman to more than one old age pension for the same period).

(6) For the purposes of any disqualification contained in this regulation for the receipt of additional old age pension by virtue of her husband's insurance, an old age pension by virtue of a widow's own insurance to which she becomes entitled by virtue of subsection (6) of section twenty of the principal Law (which provides that in certain cases a widow may have account taken of her husband's contributions in calculating the yearly average of the contributions paid or credited to her for the purpose of her right to an old age pension by virtue of her own insurance) shall be treated as if it were an old age pension by virtue of her husband's insurance.

Repeals.

10. The regulations set out in the left hand column of the Fifth Schedule to these regulations are hereby repealed to the extent set out in the right hand column of the said Schedule.

PART IV

CITATION AND COMMENCEMENT

Citation and commencement.

11. These regulations may be cited as the Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Amendment) (No. 2) (Guernsey) Regulations, 1971, and shall come into operation on the sixth day of December, nineteen hundred and seventy-one.

Dated this *third* day of December, nineteen hundred and seventy-one.

E. H. Bodman

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

FIRST SCHEDULE

Regulation 3.

" SECOND SCHEDULE

Regulation 12(2)

Showing Reduced Rates of Unemployment and Sickness Benefit and of Increase of Benefit in respect of Adult Dependents.

(1)	(2)	(3)	(4)
Number of contributions paid or credited in the relevant contribution year.	Full weekly rate of benefit applicable under the Second Schedule to the Law.		
	£5.00	£3.00	£2.80
	Reduced rate at which benefit is payable.		
48 - 49	£4.80	£2.90	£2.70
46 - 47	£4.65	£2.75	£2.55
43 - 45	£4.30	£2.60	£2.45
40 - 42	£4.00	£2.40	£2.25
37 - 39	£3.70	£2.20	£2.05
34 - 36	£3.40	£2.05	£1.95
30 - 33	£3.00	£1.80	£1.70
26 - 29	£2.65	£1.55	£1.45

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SECOND SCHEDULE

Regulation 5.

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FIRST SCHEDULE

Regulations 9(2), 17(5)(b)(ii) -

and 18 (3)(b)(ii)

Showing reduced rate of widow's benefit and old age pension and of increase of old age pension in respect of an adult dependant payable to a person who attains pensionable age or becomes a widow on or after the 7th September, 1970.

(1)	(2)	(3)	(4)
Yearly average of contributions paid or credited.	Widows Allowance	Widow's pension, widowed mother's allowance and old age pension.	
	Full weekly rate of pension or allowance.		
	£7.00	£5.00	£3.00
	Reduced rate at which pension or allowance is proposed to be paid.		
48 - 49	£6.75	£4.80	£2.90
46 - 47	£6.45	£4.65	£2.75
43 - 45	£6.00	£4.30	£2.60
40 - 42	£5.65	£4.00	£2.40
37 - 39	£5.20	£3.70	£2.20
34 - 36	£4.75	£3.40	£2.05
30 - 33	£4.20	£3.00	£1.80
26 - 29	£3.65	£2.65	£1.55
22 - 25	£3.05	£2.20	£1.30
18 - 21	£2.50	£1.80	£1.10
14 - 17	£2.00	£1.40	£0.85
10 - 13	£1.40	£1.00	£0.60

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THIRD SCHEDULE

Regulation 5.

" SECOND SCHEDULE

Regulations 17(3)(a)(ii) and
18(3)(a)(ii).

Showing reduced rate of widow's benefit and old age pension and of increase of old age pension in respect of an adult dependant payable to a person who, not being an existing old age pensioner, had attained pensionable age or became a widow before the 7th September, 1970.

(1)	(2)	(3)
Yearly average of contributions paid or credited.	Widow's Pension, Widowed Mother's Allowance and Old Age Pension.	
	Full weekly rate of pension or allowance.	
	£5.00	£3.00
	Reduced rate at which pension or allowance is proposed to be paid.	
45 - 49	£4.50	£2.70
40 - 44	£4.00	£2.40
35 - 39	£3.50	£2.10
30 - 34	£3.00	£1.80
25 - 29	£2.50	£1.50
20 - 24	£2.00	£1.20
15 - 19	£1.50	£0.90
10 - 14	£1.00	£0.60

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FOURTH SCHEDULE

Regulation 7.

"SCHEDULE

Regulation 2.

PART 1

(applicable to contributions in respect of contribution weeks commencing on or after the 4th January, 1965 and terminating before the 3rd April, 1967).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution.				Total number of new pence to be refunded (including interest) in respect of each contribution.		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	15	31	31	65 or over	12	24	24
64	16	32	32	64	12	25	25
63	16	33	33	63	13	25	25
62	17	34	34	62	13	26	26

PART II

(applicable to contributions in respect of contribution weeks commencing on or after the 3rd April, 1967 and terminating before the 7th September, 1970).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution.				Total number of new pence to be refunded (including interest) in respect of each contribution.		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	20	39	39	65 or over	15	31	31
64	20	40	40	64	16	32	32
63	20	41	41	63	16	33	33
62	21	42	42	62	17	33	33
61	21	43	43	61	17	34	34
60	22	44	44	60	18	35	35
59	23	45	45	59	18	36	36
58	23	46	46	58	18	37	37

PART III

(applicable to contributions in respect of contribution weeks commencing on or after the 7th September, 1970 and terminating before the 6th December, 1971.)

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid.	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution.				Total number of new pence to be refunded (including interest) in respect of each contribution.		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	35	69	63	65 or over	26	52	46
64	36	71	65	64	27	53	47
63	37	72	66	63	27	54	48
62	38	74	68	62	28	56	50
61	39	76	70	61	29	57	51
60	40	78	71	60	29	58	52
59	41	80	73	59	30	60	53
58	42	82	75	58	31	62	55
57	43	84	77	57	32	63	56
56	44	86	79	56	32	64	57
55	45	88	81	55	33	66	59

PART IV

(applicable to contributions in respect of contribution weeks commencing on or after the 6th December, 1971).

MEN				WOMEN			
Age of man at expiration of period of currency of contribution card on which contribution was paid.	Employed	Self-employed	Non-employed	Age of woman at expiration of period of currency of contribution card on which contribution was paid.	Employed	Self-employed	Non-employed
	Total number of new pence to be refunded (including interest) in respect of each contribution.				Total number of new pence to be refunded (including interest) in respect of each contribution.		
(1)	(2) New Pence	(3) New Pence	(4) New Pence	(5)	(6) New Pence	(7) New Pence	(8) New Pence
65 or over	44	87	79	65 or over	33	65	58
64	45	88	81	64	33	66	59
63	46	91	83	63	34	68	60
62	47	93	85	62	35	70	62
61	48	95	87	61	36	71	63
60	50	98	89	60	37	73	65
59	51	100	91	59	38	75	66
58	52	102	94	58	39	77	68
57	53	105	96	57	40	79	70
56	55	108	98	56	41	81	72
55	56	110	101	55	42	83	73

Regulations	Extent of repeal
The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Guernsey) Regulations, 1970.	Regulation three, paragraph (2) of regulation six, regulation seven and the First and Third Schedules.
The Social Insurance (Increase of Benefit and Miscellaneous Provisions) (Amendment) (Guernsey) Regulations, 1971.	Regulation four.

EXPLANATORY NOTE

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

Regulations three, four and five increase the reduced rates of benefits payable under the Social Insurance (Guernsey) Law, 1964 in order to bring them into conformity with the higher standard rates of benefit approved by the States on the 28th July, 1971. Regulation six provides for an increase in the rates of certain widow's basic pensions. Regulation eight provides for the increased rates of benefit to be restricted to persons who are ordinarily resident in Guernsey. The remaining provisions are of a minor or consequential character.