

**The Social Insurance (Contributions) (Amendment) (No.2)
Regulations, 2012**

<i>Made</i>	<i>11th December, 2012</i>
<i>Coming into operation</i>	<i>11th December, 2012</i>
<i>Laid before the States</i>	<i>, 2013</i>

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 3, 6, 8, 11, 15, 16A and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and of all other powers enabling it in that behalf, hereby orders:-

Amendment.

1. Regulation 8(5)(b) of the Social Insurance (Contributions) Regulations, 2000, as amended^b is revoked and replaced with the following -

"(b) Dividends paid to an employee of a private company shall be included in the earnings from his employment by that company except where the Department is satisfied that in all the circumstances of the case it is just and equitable to disregard such dividends."

^a Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148, and 422; No. V of 1990; Nos. V and XII of 1993; Ordinance No. XIV of 1993; Ordres en Conseil NO. V of 1994, Nos. VI and XIII of 1995; No. I of 1998; No. VI of 1999; No. X of 2000; No. IX of 2001; No. XXIV of 2003; No. XI of 2004; No. XVIII of 2007 and Ordinance No. XLII of 2009.

^b G.S.I. 1999 No. 49; G.S.I. 2001 No. 3; G.S.I. 2001 No. 43; G.S.I. 2003 No. 40; G.S.I. 2005 No. 37; G.S.I. 2006 No. 49; G.S.I. 2007 No. 23, G.S.I. 2008 No. 65; G.S.I. 2009 No. 90 and G.S.I. 2012 No. 43.

Interpretation.

2. The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations as it applies to the interpretation of a Guernsey enactment.

Citation, commencement and extent.

3. (1) These Regulations may be cited as the Social Insurance (Contributions) (Amendment) (No.2) Regulations, 2012 and shall come into force on the 11th day of December 2012.

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

Dated this 11th day of December 2012.



Allister H Langlois

Minister of the Social Security Department

for and on behalf of the Department

^c Ordres 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 amend the Social Insurance (Contributions) Regulations, 2000. The amendment clarifies that, while dividends paid to employee shareholders in a private company are treated as earnings, the Department has a discretion to disregard them if appropriate.

These Regulations came into operation on 11th December 2012.