

GUERNSEY STATUTORY INSTRUMENT

2017 No. 70

**The Social Insurance (Miscellaneous Amendments)
(Incapacity Benefit) Regulations, 2017**

<i>Made</i>	19 th September, 2017
<i>Coming into operation</i>	20 th September, 2017
<i>Laid before the States</i>	2017

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred upon it by section 116 of the Social Insurance (Guernsey) Law, 1978^a, and of all other powers enabling it in that behalf, hereby orders:-

Amendment of various regulations.

1. In the following regulations, for "invalidity" in each place where the word occurs, substitute "incapacity" –

^a Ordres en Conseil Vol. XXVI, p. 292; amended by Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXI, p. 278; Vol. XXXII, p. 59; Vol. XXXIV, p. 510.; Vol. XXXV(1), p. 161; Vol. XXXVI, pp. 123 and 343; Vol. XXXVIII, p. 59; Vol. XXXIX, p. 107; Vol. XL, p. 351; Order in Council No. X of 2000; No. XXIV of 2003; No. XI of 2004; No. XVIII of 2007; No. V of 2012; No. IV of 2014; No. III of 2016; Recueil d'Ordonnances Tome XXV, p. 148; Ordinance No. XXXIII of 2003; No. XLIV of 2007; Nos. VII and XLII of 2009; No. XVII of 2011; No. XXXVIII of 2012; No. XXX of 2013; Nos. IX and XXX of 2016.

- (a) the Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978^b,
- (b) Social Insurance (Residence and Persons Abroad) (Guernsey) Regulations, 1978^c,
- (c) the Social Insurance (Contributions) Regulations, 2000^d,
- (d) the Social Insurance (Benefits) Regulations, 2003^e, and
- (e) the Social Insurance (Benefits) (Transitional) Regulations, 2004^f.

Interpretation.

2. (1) In these Regulations, unless the context requires otherwise –

"**enactment**" means any Law, Ordinance or subordinate legislation,

^b G.S.I. No. 20 of 1978; amended by Recueil d'Ordonnances Vol. XXVI, p. 177; Ordinance No. XXXIII of 2003; No. IX of 2016; G.S.I. No. 41 of 2003; No. 56 of 2016.

^c G.S.I. No. 25 of 1978; amended by Recueil d'Ordonnances Tome XXVI, p. 177; Ordinance No. XXXIII of 2003; No. IX of 2016; G.S.I. No. 35 of 1986; Nos. 5 and 27 of 1995; No. 52 of 1999; No. 52 of 2002; No. 42 of 2003; No. 50 of 2006; No. 91 of 2009; No. 61 of 2016.

^d G.S.I. No. 49 of 1999; amended by Order in Council No. IV of 2014; Ordinance No. XXXIII of 2003; No. IX of 2016; G.S.I. Nos. 3 and 43 of 2001; No. 49 of 2002; No. 40 of 2003; No. 37 of 2005; No. 49 of 2006; No. 23 of 2007; No. 65 of 2008; No. 90 of 2009; Nos. 43 and 73 of 2012; No. 101 of 2014; No. 57 of 2016.

^e G.S.I. No. 37 of 2003; amended by Ordinance No. XXXIII of 2003; No. IX of 2016; G.S.I. No. 45 of 2004; Nos. 43 and 47 of 2005; Nos. 35 and 48 of 2006; No. 44 of 2007; No. 66 of 2008; Nos. 37 and 93 of 2009; No. 117 of 2010; Nos. 32 and 54 of 2011; Nos. 16 and 72 of 2012; No. 69 of 2013; No. 78 of 2014; No. 108 of 2015; Nos. 48, 74 and 75 of 2016.

^f G.S.I. No. 7 of 2004; amended by No. 36 of 2005.

and

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

(3) The Interpretation (Guernsey) Law, 1948⁸ 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 (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017 and come into force on the 20th September, 2017.

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

⁸ Ordres en Conseil Vol. XIII, p. 355.

Dated this 19th day of September 2017.



Deputy Michelle Karen LE CLERC

President of the Committee for Employment & Social Security
for and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend several regulations made under the Social Insurance (Guernsey) Law, 1978.

These Regulations substitute references in those regulations to "invalidity" (in relation to invalidity benefits under that Law) with references to "incapacity", which is the new term used in that Law, as amended by the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2017.

These Regulations come into force on the 20th September 2017, the same day as the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2017.