

GUERNSEY STATUTORY INSTRUMENT

ENTITLED

The Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978 *

[CONSOLIDATED TEXT]

NOTE

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* G.S.I. No. 20 of 1978; as amended by the Guernsey Social Security Authority (Transfer of Functions) Ordinance, 1993 (Recueil d'Ordonnances Vol. XXVI, p. 177); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021 (No. ** of 2021); the Social Insurance (Determination of Claims and Questions) (Amendment) Regulations, 2003 (G.S.I. No. 41 of 2003); the Social Insurance (Determination of Claims and Questions) (Guernsey) (Amendment) Regulations, 2016 (G.S.I. No. 56 of 2016); the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017 (G.S.I. No. 70 of 2017). See also the Social Insurance (Industrial Injuries Benefits) (Guernsey) Regulations, 1978 (G.S.I. No. 31 of 1978); the Carer's Allowance (Guernsey) Regulations, 1986 (G.S.I. No. 2 of 1986); the Severe Disability Benefit (Guernsey) Regulations, 2003 (G.S.I. No. 43 of 2003); the Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018 (G.S.I. No. 45 of 2018).

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Explanatory Note.

(Made on 4th December, 1978.)

The Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by section eighty-seven, section eighty-nine and section ninety of the Social Insurance (Guernsey) Law, 1978, and by the Third Schedule and Part II of the Fourth Schedule to the Law and in exercise of all other powers enabling it in that behalf, hereby orders: –

PART I GENERAL

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 –

"determining authority" means [the Committee], the Administrator, the Tribunal, the Medical Board or a single medical practitioner acting in place of the Medical Board,

"hearing" means oral hearing,

"the Law" means the Social Insurance (Guernsey) Law, 1978,

"question" includes, except for the purposes of regulation five of these regulations, a claim under the Law, and any other expressions have the same meanings as in the Law.

(2) Any notice or other document required or authorised to be given or sent to any person under the provisions of these regulations shall be deemed to have been given or sent if it was sent by post to that person at his ordinary or last known address.

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

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

NOTES

In regulation 1, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

The functions, rights and liabilities of the Social Security Department and of its Minister or Deputy Minister arising under or by virtue of these Regulations were transferred to and vested in, respectively, the Committee for Employment & Social Security ("the Committee") and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.¹

In accordance with the provisions of the Social Insurance (Industrial Injuries Benefits) (Guernsey) Regulations, 1978, regulation 20(6), with effect from 1st January, 1979 and save as provided in the aforesaid regulation 20, any reference in these Regulations to the relevant accident shall be construed as a reference to the relevant disease and any reference to the date of the relevant accident shall be construed as a reference to the date of development of the relevant disease.

In accordance with the provisions of the Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018, regulation 1, with effect from 22nd October, 2018 and subject to the savings and transitional

provisions in regulation 3, the functions, rights and liabilities of the Committee for Employment & Social Security and of its President and members relating to the collection of social insurance contributions arising under or by virtue of these Regulations were transferred to and vested in, respectively, the Policy & Resources Committee and its President and members; and, in accordance with regulation 2 of the 2018 Regulations, for any reference herein to the Committee for Employment & Social Security or its President or members, however expressed, there was substituted, to the extent that the reference related to the collection of social insurance contributions, a reference to the Policy & Resources Committee or (as the case may be) its President or members.

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

Procedure at hearings and in connection with determinations; and right to representation.

2. (1) Subject to the provisions of the Law and of these regulations –
 - (a) the procedure in connection with the consideration and determination of any claim or question to which these regulations relate shall be such as the determining authority or the person holding the inquiry, as the case may be, shall determine; so however that in the case of the Tribunal the procedure shall be such as the chairman or deputy chairman of the Tribunal shall determine,
 - (b) any person who by virtue of the provisions of these regulations has the right to be heard at a hearing or an inquiry may be represented by another person, whether having professional qualifications or not, and, for the purposes of the proceedings at any such hearing, any such representative shall have all the rights and powers to which the person whom he represents is entitled

under the Law and these regulations.

(2) For the purpose of arriving at its decision or discussing any question of procedure, the Tribunal shall, notwithstanding anything contained in these regulations, order all persons not being members of the Tribunal, other than the person acting as an assessor or as a clerk to the Tribunal, to withdraw from the sitting of the Tribunal.

(3) Any person having the right to be heard who appears at a hearing before the Tribunal may call witnesses and shall be given an opportunity of putting questions directly to any witnesses called at the hearing and of addressing the Tribunal.

NOTE

In accordance with the provisions of, first, the Carer's Allowance (Guernsey) Regulations, 1986, regulation 16, with effect from 6th January, 1986 and, second, the Severe Disability Benefit (Guernsey) Regulations, 2003, regulation 20, with effect from 4th April, 2003, the provisions of this regulation shall apply in relation to the consideration and determination of any claim or question by the Tribunal under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 as they apply in relation to the consideration and determination of any claim or question by the Tribunal under the Social Insurance (Guernsey) Law, 1978.

Non-disclosure of evidence by the Tribunal.

3. Where, in connection with the consideration and determination of any claim or question there is before the Tribunal, medical advice or medical evidence relating to the claimant which has not been disclosed to him and in the opinion of the chairman of the Tribunal the disclosure to the claimant of that advice or evidence would be harmful to the claimant's health, such advice or evidence shall not be required to be disclosed to the claimant, but the Tribunal shall not by reason of such non-disclosure be precluded from taking it into account for the purpose of the said determination.

NOTE

In accordance with the provisions of, first, the Carer's Allowance (Guernsey) Regulations, 1986, regulation 16, with effect from 6th January, 1986 and, second, the Severe Disability Benefit (Guernsey) Regulations, 2003, regulation 20, with effect from 4th April, 2003, the provisions of this regulation shall apply in relation to the consideration and determination of any claim or question by the Tribunal under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 as they apply in relation to the consideration and determination of any claim or question by the Tribunal under the Social Insurance (Guernsey) Law, 1978.

Reference by [the Committee], the Administrator or the Tribunal to medical practitioner for report.

4. [The Committee], the Administrator or the Tribunal, as the case may be, may refer to a medical practitioner for examination and report any question arising for his or their determination.

NOTE

In regulation 4, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

PART II

**ADJUDICATION BY [THE COMMITTEE], THE ADMINISTRATOR AND THE
TRIBUNAL**

Application for, and procedure on, determination of question by [the Committee].

5. (1) A person desiring to obtain the decision of [the Committee] on any of the questions mentioned in subsection (1) of section seventy-four of the Law shall deliver or send to [the Committee] an application for the purpose in writing in a

form approved by [the Committee], and shall furnish such particulars as [the Committee] may require for the purpose of the consideration and determination of any such question.

(2) [The Committee] shall take steps to bring any such application and any such particulars to the notice of any person appearing to it to be interested in the application and to obtain from such person such particulars within such time and in such form as it considers reasonably necessary for the proper determination of the question.

(3) Any person appointed by [the Committee] under subsection (2) of section seventy-four of the Law, to hold an inquiry into the question of any matters arising in connection therewith and to report to it thereon, may by summons require persons to attend any such inquiry to give evidence or to produce documents reasonably required for the purpose of the inquiry and may take evidence on oath and for that purpose administer oaths.

(4) The applicant and any persons notified of the application in accordance with paragraph (2) of this regulation and any other person appearing to the person appointed to hold the inquiry to be interested in the application shall have the right to be present and be heard at any such inquiry and they shall be given reasonable notice of the time and place of the inquiry.

(5) [The Committee] shall give notice in writing of its decision to the applicant and to any persons appearing to it to be interested therein and may publish its decision in such manner as it thinks fit.

(6) An application for a decision of [the Committee] shall not be made otherwise than by a person interested.

(7) In this regulation, a person interested means a person whose

interest in the application or decision –

- (a) is under and for the purposes of the Law, and
- (b) relates to that person's own liability under the Law or his actual or potential rights under it,

and references to a person appearing to be interested shall be construed accordingly.

NOTE

In regulation 5, and in the heading to Part II, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Review or reference.

6. The foregoing provisions of this Part of these regulations shall apply with the necessary modifications to any case in which –

- (a) a question has been raised with a view to the review under subsection (1) of section seventy-six of the Law of any decision of [the Committee] given in accordance with this Part of these regulations, or
- (b) a question such as is mentioned in paragraph (1) of the last foregoing regulation is referred to [the Committee]
–
 - (i) under paragraph (a) of subsection (2) of section eighty-four of the Law, or

- (ii) under subsection (2) of section one hundred and five of the Law.

NOTE

In regulation 6, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Time and -place of hearing before the Tribunal.

7. (1) Reasonable notice of the time and place of any hearing before the Tribunal shall be given to the claimant, and to any other person who may appear to the chairman of the Tribunal to be interested, and, except with the consent of the claimant, the Tribunal shall not proceed with the hearing of any case unless such notice has been given.

(2) If a claimant or other person to whom notice of hearing has been duly given in accordance with these regulations should fail to appear at the hearing, the Tribunal may proceed to determine the case notwithstanding his absence, or may give such directions with a view to the determination of the case as it may think proper having regard to all the circumstances including any explanation offered for the absence:

Provided that, if a reasonable explanation for his absence has been given by him or on his behalf, the Tribunal shall not, without his consent, determine the case in his absence, unless the hearing has first been adjourned for at least one month and reasonable notice of the time and place of the adjourned hearing has been given to him.

NOTE

In accordance with the provisions of, first, the Carer's Allowance (Guernsey) Regulations, 1986, regulation 16, with effect from 6th January, 1986 and, second, the Severe Disability Benefit (Guernsey) Regulations, 2003, regulation 20, with effect from 4th April, 2003, the provisions of this regulation shall apply in relation to the consideration and determination of any claim or question by the Tribunal under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 as they apply in relation to the consideration and determination of any claim or question by the Tribunal under the Social Insurance (Guernsey) Law, 1978.

Hearings before the Tribunal.

8. (1) The following persons shall be entitled to be present and be heard at the hearing of any case by the Tribunal –

- (a) the claimant,
- (b) the Administrator,
- (c) the [President] of [the Committee],

and any person appearing to the Tribunal to be interested shall have the right to be present at the hearing of the case.

(2) In such cases as the chairman of the Tribunal may determine, a medical practitioner may sit with that Tribunal as an assessor.

(3) An assessor sitting with the Tribunal as aforesaid shall not take any part in the determination or decision of that tribunal except in an advisory capacity.

NOTES

In regulation 8, the words in the first and second pairs of square brackets were substituted by the Organisation of States' Affairs (Transfer of

Functions) Ordinance, 2016, respectively section 2(1), Schedule 1, paragraph 13 and section 4, and section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.²

In accordance with the provisions of, first, the Carer's Allowance (Guernsey) Regulations, 1986, regulation 16, with effect from 6th January, 1986 and, second, the Severe Disability Benefit (Guernsey) Regulations, 2003, regulation 20, with effect from 4th April, 2003, the provisions of this regulation shall apply in relation to the consideration and determination of any claim or question by the Tribunal under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 as they apply in relation to the consideration and determination of any claim or question by the Tribunal under the Social Insurance (Guernsey) Law, 1978.

Decisions of the Tribunal.

9. (1) The decision of the majority of the Tribunal shall be the decision of the Tribunal.

(2) The Tribunal shall –

- (a) record in writing all its decisions (whether on an appeal or on a reference from the Administrator), and
- (b) include in the record of every decision a statement of the grounds of such decision and of its findings on questions of fact material thereto, and
- (c) if a decision is not unanimous, record a statement that one of the members dissented and the reason given by him for so dissenting.

(3) As soon as may be practicable after a case has been decided by the Tribunal, a copy of the record of its decision made in accordance with this regulation shall be sent to the claimant, to the Administrator and to any other person who appears to the Tribunal to be interested, and, if the decision of the Tribunal is in

whole or in part adverse to the claimant, he shall be informed of the conditions governing appeals to the Ordinary Court.

NOTE

In accordance with the provisions of, first, the Carer's Allowance (Guernsey) Regulations, 1986, regulation 16, with effect from 6th January, 1986 and, second, the Severe Disability Benefit (Guernsey) Regulations, 2003, regulation 20, with effect from 4th April, 2003, the provisions of this regulation shall apply in relation to the consideration and determination of any claim or question by the Tribunal under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 as they apply in relation to the consideration and determination of any claim or question by the Tribunal under the Social Insurance (Guernsey) Law, 1978.

PART III

DETERMINATION OF DISABLEMENT QUESTIONS

Constitution of the Medical Board.

10. (1) Subject to the provisions of this regulation, the Medical Board shall consist of two members selected by or on behalf of [the Committee] from a panel of medical practitioners appointed by [the Committee].

(2) One of the members of the Medical Board shall be appointed by or on behalf of [the Committee] as chairman of the Board.

(3) A medical practitioner shall not act as a member of the Medical Board for the purpose of the consideration of any case referred to the Board if he –

- (a) is or may be directly affected by that case, or
- (b) has taken any part in such case as a medical assessor or as a medical practitioner who has regularly attended the claimant or to whom any question has been referred for

examination and report or as an employer or as a witness.

- (4) The Medical Board shall not determine any question if –
- (a) one of the members thereof is unable to be present at the consideration of any such question, or
 - (b) the members of the Board are unable to agree a decision on any such question.

(5) In any case in which, by reason of paragraph (3) or paragraph (4) of this regulation, the Medical Board is unable to determine any question, the members of the Board shall be replaced by two other medical practitioners appointed by or on behalf of [the Committee] from the panel referred to in paragraph (1) of this regulation and the questions arising in that case shall forthwith be referred again to the Board:

Provided that in a case to which sub-paragraph (b) of the said paragraph (3) relates, three other medical practitioners shall be so appointed in pursuance of this paragraph and their decision, if not unanimous, shall be that of the majority of them.

NOTE

In regulation 10, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Reference to single medical practitioner instead of to Medical Board.

11. (1) For the purposes of the provisions of section eighty-nine of the Law and notwithstanding anything in the foregoing provisions of these regulations,

the disablement questions arising in any case may, with the consent of the claimant, be referred to a single medical practitioner appointed by [the Committee] instead of to the Medical Board.

(2) The provisions of the next two following regulations shall apply to the proceedings on a reference to a single medical practitioner in accordance with paragraph (1) of this regulation, as if such practitioner were the Medical Board.

(3) If a medical practitioner to whom any questions have been referred in accordance with paragraph (1) of this regulation is of the opinion that a final assessment can be made but that the period which should be taken into account by such assessment would exceed six months, he shall, instead of himself determining such questions make a report in writing stating his opinion and the grounds for it, and thereupon the reference to the single medical practitioner shall be revoked and the disablement questions arising in the case shall be referred to the Medical Board to which a copy of such report shall be made available.

NOTES

In regulation 11, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Section 89 of the Social Insurance (Guernsey) Law, 1978 has since been repealed by the Social Insurance (Guernsey) (Amendment) Law, 2006, section 1(7), with effect from 24th December, 2007.

Notice of sitting and procedure of Medical Board.

12. (1) Reasonable notice of the time and place at which the Medical Board will sit for the consideration of any case shall be given to the claimant and if, after such notice has been given, the claimant should fail to appear at the sitting of the Board, the Board shall not proceed to determine the questions referred to it without his consent,

(2) No person shall be entitled to be present and be heard during the consideration of any question by the Medical Board other than the claimant and any other person whom the Board may, with the consent of the claimant, allow to be present as being a person who, in the Board's opinion, is likely to assist it in the determination of that question.

Notice of decision of Medical Board.

13. (1) The Medical Board shall in each case record its decision in writing in such form as may from time to time be approved by [the Committee] and shall include in such record (which shall be signed by all the members of the Board)

—

- (a) a statement of its findings on all questions of fact material to such decision, and
- (b) in a case in which the decision of the Medical Board consisting of three persons was not unanimous, a statement that one of the members dissented and of the reasons given by him for dissenting.

(2) As soon as may be practicable, the claimant shall be sent written notice of the decision of the Medical Board, and such notice shall be in such form as may from time to time be approved by [the Committee] and shall contain a summary of the said findings of the Board, including, where the decision was not unanimous, a statement that one of the members dissented and of the reasons given by him for dissenting.

NOTE

In regulation 13, the words "the Committee" in square brackets, wherever

occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

PART IV
MISCELLANEOUS

Review of decisions involving payment or increase of benefit.

14. (1) Where on a review a decision relating to benefit is revised so as to make benefit payable, or to increase the rate of benefit, the decision given on the review shall, subject to the following provisions of this regulation, have effect –

- (a) in the case of unemployment benefit[, maternal health allowance, newborn care allowance and parental allowance], as from the date of the application for the review,
- (b) in the case of sickness benefit, [incapacity] benefit or industrial injury benefit as from the date twenty-one days before the date of the application for the review,
- (c) in the case of [survivor's] benefit, [...], [a States pension] or industrial disablement benefit as from the date three months before the date of the application for the review.

(2) Where in any case to which paragraph (1) of this regulation applies a claimant proves –

- (a) that on a date earlier than the date on which the application for the review was made, he was (apart

from satisfying the condition of making a claim for it) entitled to benefit, and

- (b) that throughout the period between the earlier date and the date on which the application for review was made, there was good cause for delay in making the application,

subject to paragraph (3) and paragraph (5) of this regulation, he shall not be disqualified by virtue of paragraph (1) for receiving any benefit to which he would have been entitled in respect of that period.

(3) In any case in which the review to which the foregoing provisions of this regulation relate was based on a material change of circumstances subsequent to the date from which the original decision took effect, it shall not have effect for any period before the date declared by the determining authority to be the date on which that change took place.

(4) For the purposes of this regulation, where a decision is reviewed at the instance of the Administrator under subsection (1) of section eighty-five of the Law, the date on which it was first decided by the Administrator that the decision should be reviewed shall be deemed to be the date of the application for the review.

(5) In any case to which paragraph (1) of this regulation applies, the decision on review shall not in any event have effect for any period before the date on which the original decision took effect or would have taken effect if an award had been made.

NOTES

In regulation 14,

the words in square brackets in paragraph (a) of subsection (1) were substituted by the Social Insurance (Determination of Claims and Questions) (Guernsey) (Amendment) Regulations, 2016, regulation 1, with effect from 1st January, 2017;

the word in square brackets in paragraph (b) of subsection (1) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(a), with effect from 20th September, 2017;

the word in the first pair of square brackets in paragraph (c) of subsection (1) was substituted, and those omitted in the second pair of square brackets therein were repealed, by the Social Insurance (Determination of Claims and Questions) (Amendment) Regulations, 2003, regulation 1, with effect from 1st January, 2004;

the words in the third pair of square brackets in paragraph (c) of subsection (1) were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(b), with effect from 1st March, 2021.

Adjustment of benefit on review or appeal.

15. Where by a decision on review or appeal a person entitled to benefit is awarded some other such benefit in lieu thereof, the decision on the review or appeal shall direct that any payments already made on account of the benefit originally awarded in respect of any period covered by the decision on review or appeal shall be treated as having been made on account of the benefit awarded by that decision.

Period to be taken into account by assessments revised on grounds of unforeseen aggravation.

16. On a review of any assessment under subsection (2) of section eighty-eight of the Law the period to be taken into account by any revised assessment may include any period not exceeding three months before the date of the application for the review if the Medical Board are satisfied that throughout that period there has been unforeseen aggravation of the results of the relevant injury since the making of the assessment under review.

Repeals.

17. The Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1964, and the Social Insurance (Determination of Claims and Questions) (Amendment) (Guernsey) Regulations, 1971, are hereby repealed.

Citation.

18. These regulations may be cited as the Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978.

Commencement.

19. These regulations shall come into force on the first day of January, nineteen hundred and seventy-nine.

EXPLANATORY NOTE

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

These regulations relate to the determination of claims and questions under the Social Insurance (Guernsey) Law, 1978.

They provide for: general procedural matters (Part I); adjudication by the Authority, the Administrator and the Tribunal (Part II); the determination of disablement questions relating to industrial injuries (Part III); and miscellaneous provisions consequential to appeals and reviews, including the adjustment of benefit (Part IV).

1 The functions, rights and liabilities of the Social Security Department and its Minister arising under or by virtue of these Regulations were previously transferred to and vested in them, respectively, from the Social Security Authority and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 26 and section 5, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the Guernsey Social Security Authority under this Law were previously transferred to it from the States Insurance Authority by the Guernsey Social Security Authority (Transfer of Functions) Ordinance, 1993, section 1, Schedule 1, paragraph 3, with effect from 29th September, 1993, subject to the savings in section 2 of the 1993 Ordinance.

2 The word "President" was previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 26 and section 5, with effect from 6th May, 2004.

****** The text of this Explanatory Note is as it was when the Statutory Instrument was first made – that is to say that the Explanatory Note has not been updated to take account of any changes made by subsequent amending Statutory Instruments with their own Explanatory Notes, which latter should thus be, if necessary, consulted in the original.