

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Carer's Allowance (Amendment) Regulations, 1997 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the instrument incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the instrument and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* G.S.I. No. 2 of 1997; as amended by the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013 (No. \*\* of 2014).

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## **The Carer's Allowance (Amendment) Regulations, 1997**

### ARRANGEMENT OF REGULATIONS

1. Amendment.
2. Extent.
3. Citation.
4. Commencement.

Explanatory Note.

*(Made on 6th January, 1997.)*

## **The [Carer's Allowance (Amendment) Regulations, 1997]**

**THE GUERNSEY SOCIAL SECURITY AUTHORITY**, in exercise of the powers conferred upon it by section 10 of the [Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984]<sup>a</sup>, hereby orders: –

### **Amendment.**

**1.** In regulation 8 of the [Carer's Allowance (Guernsey) Regulations, 1986], as amended<sup>b</sup> –

(a) paragraph (1) is deleted and the following substituted –

"(1) For the purposes of section 2(3)(c) of the Law, a person's current annual income for any year shall be –

(a) his net assessable income under the Income Tax (Guernsey) Law, 1975<sup>c</sup> for the year of charge contemporaneous with that year less life assurance and retirement annuity relief, or

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<sup>a</sup> Ordres en Conseil, Vol. XXVIII, p. 353; Vol. XXIX, p.198; No. XIV of 1991; No. X of 1993, Ordinance XIV of 1993.

<sup>b</sup> S.I. 1986 No. 3, S.I. 1985 No. 32.

<sup>c</sup> Ordres en Conseil Vol. XXV p. 124.

(b) such amount as the Authority deems proper, having regard to all the circumstances of the case, in relation to the relevant year, where the Authority is satisfied that it is just and equitable to disregard the actual income."<sup>1</sup>

(b) In paragraph (2) the words "less any amount received by way of attendance allowance or industrial disablement benefit" are deleted.

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**NOTES**

*The title in square brackets of these Regulations was substituted by the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013, section 1(1), First Schedule, paragraph 10, with effect from 1st May, 2014.<sup>2</sup>*

*The words in square brackets in the Preamble to these Regulations were substituted by the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013, section 1(2), First Schedule, paragraph 1, with effect from 1st May, 2014.*

*In regulation 1, the words in square brackets were substituted by the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013, section 1(2), First Schedule, paragraph 9, with effect from 1st May, 2014.*

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**Extent.**

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

**[Citation.**

3. These Regulations may be cited as the Carer's Allowance (Amendment) Regulations, 1997.]

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**NOTE**

*Regulation 3 was substituted by the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013, section 2, Second Schedule, paragraph 11, with effect from 1st May, 2014.<sup>3</sup>*

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**Commencement.**

4. These Regulations shall come into force on the 6<sup>th</sup> day of January, 1997.

**EXPLANATORY NOTE**

*(This Note is not part of the Regulations, but is intended to indicate their general purport)<sup>\*\*</sup>*

These regulations more precisely define income for the purposes of the law as that defined in the Income Tax Law and exclude mortgage interest and payments made for life assurance and personal pensions. They also enable the Guernsey Social Security Authority to vary the income for tax purposes in exceptional cases where it does not accord with the actual income.

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<sup>1</sup> For subsequent amendments, see the consolidated text of the Carer's Allowance (Guernsey) Regulations, 1986.

<sup>2</sup> Prior to this substitution, the Regulations were titled the Invalid Care Allowance (Amendment) Regulations, 1997.

<sup>3</sup> Prior to this substitution, the Regulations were cited as the Invalid Care Allowance (Amendment) Regulations, 1997.

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<sup>\*\*</sup> 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.