

The Social Insurance (Benefits) (Amendment) Regulations, 2019

Made 13th December, 2019
Coming into operation see regulation 5
Laid before the States , 2020

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred upon it by sections 15, 20, 39, 67 and 116 of the Social Insurance (Guernsey) Law, 1978^a, and of all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the 2003 Regulations.

1. The Social Insurance (Benefits) Regulations, 2003^b ("the principal Regulations") are amended as follows.
2. The five schedules to the principal Regulations are revoked and replaced by the five schedules set out in the Schedule to these Regulations.

^a Ordres en Conseil Vol. XXVI, p. 292; as amended by Ordres en Conseil Vol. XXXIX, p. 107; Order in Council No. XXIV of 2003; Ordinance Nos. IX and XXX of 2016; and No. XXIII of 2017; there are other amendments not relevant to these Regulations.

^b G.S.I. No. 37 of 2003 as amended by Ordinance No. IX of 2016; No. XIII of 2017; No. VIII of 2018; G.S.I. No. 45 of 2004; Nos. 43 and 47 of 2005; Nos. 35 and 48 of 2006; No. 44 of 2007; No. 37 of 2009; No. 117 of 2010; No. 16 of 2012; Nos. 6 and 69 of 2013; and Nos. 48 and 75 of 2016; No. 115 of 2017; and No. 87 of 2018.

3. In regulation 26 of the Regulations –

(a) for paragraph (1), substitute –

"(1) The payment to any person of any benefit which is payable otherwise than in respect of a period during which he is undergoing person is undergoing imprisonment or detention in legal custody:

Provided that -

(a) any such benefit may nevertheless be paid while the beneficiary is undergoing imprisonment or detention in legal custody to any person appointed for the purpose by or on behalf of the Committee to receive and deal with any sums payable on behalf of the beneficiary on account of that benefit, and, subject to the provisions of the Duty of Appointees Regulations, the receipt of any person so appointed shall be a good discharge to the Committee for any sum so paid, or

(b) a payment for old age pension may nevertheless be made to a prisoner who is entitled to it in terms of section 33 of the Law, payable in accordance with paragraph (1A).", and

(b) after paragraph (1), insert –

"(1A) The old age pension payable to a prisoner under

paragraph (1)(b) shall be –

- (a) the sum total of old age pension for the last 18 weeks of the prisoner's sentence or detention in legal custody, or such number of weeks as is equivalent to the length of the prisoner's sentence or detention, if less than 18 weeks, and
- (b) made directly to the prisoner on his release from prison or detention."

Revocation of 2018 Regulations.

4. Regulation 1 of the Social Insurance (Benefits) (Amendment) Regulations, 2018^c is revoked.

Citation, commencement and extent.

5. (1) These Regulations may be cited as the Social Insurance (Benefits) (Amendment) Regulations, 2019.

(2) Regulation 2 of these Regulations shall come into force on the 6th January, 2020.

(3) The rest of these Regulations shall come into force on the 1st January, 2020.

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

^c G.S.I. No. 87 of 2018.

Dated this 13th day of December, 2019.

A handwritten signature in black ink, appearing to read 'M. K. Le Clerc', with a long, sweeping flourish extending to the right.

M. K. LE CLERC

President of the States Committee for Employment & Social Security

For and on behalf of the Committee

SCHEDULE

Regulation 2

"FIRST SCHEDULE

Regulation 24(2)

Weekly Rates of Maternal Health Allowance, Newborn Care Allowance, Parental Allowance, Sickness, Unemployment and Incapacity Benefits in Cases of Partial Satisfaction of Contribution Conditions: effective 6th January, 2020.

| Reckonable Contributions | Maternal Health Allowance | Newborn Care Allowance | Parental Allowance | Sickness Benefit | Unemployment Benefit | Incapacity Benefit |
|--------------------------|---------------------------|------------------------|--------------------|------------------|----------------------|--------------------|
| 50 | £223.02 | £223.02 | £223.02 | £163.80 | £163.80 | £196.84 |
| 48 – 49 | £216.30 | £216.30 | £216.30 | £158.90 | £158.90 | £190.96 |
| 46 – 47 | £207.41 | £207.41 | £207.41 | £152.32 | £152.32 | £183.05 |
| 43 – 45 | £196.28 | £196.28 | £196.28 | £144.13 | £144.13 | £173.25 |
| 40 – 42 | £182.91 | £182.91 | £182.91 | £134.33 | £134.33 | £161.42 |
| 37 – 39 | £169.47 | £169.47 | £169.47 | £124.46 | £124.46 | £149.59 |
| 34 – 36 | £156.10 | £156.10 | £156.10 | £114.66 | £114.66 | £137.76 |
| 30 – 33 | £140.49 | £140.49 | £140.49 | £103.18 | £103.18 | £124.04 |
| 26 – 29 | £122.64 | £122.64 | £122.64 | £90.09 | £90.09 | £108.29 |

SECOND SCHEDULE

Regulation 24(3)

Rates of Death Grant in Cases of Partial Satisfaction of Contribution Conditions:
effective 6th January, 2020.

| Average of Reckonable Contributions | Death Grant |
|-------------------------------------|-------------|
| 45 or more | £640.00 |
| 30 - 44 | £480.00 |
| 10 - 29 | £320.00 |

THIRD SCHEDULE

Regulation 24(4)

Weekly Rates of Bereavement Allowance and Widowed Parent's Allowance in Cases of Partial Satisfaction of Contribution Conditions: effective 6th January, 2020.

| Contribution Average | Bereavement Allowance | Widowed Parent's Allowance |
|----------------------|-----------------------|----------------------------|
| 50 | £201.27 | £234.07 |
| 49 | £197.24 | £230.71 |
| 48 | £193.22 | £227.35 |
| 47 | £189.19 | £223.99 |
| 46 | £185.17 | £220.63 |
| 45 | £181.14 | £217.27 |
| 44 | £177.12 | £213.92 |
| 43 | £173.09 | £210.56 |
| 42 | £169.07 | £207.21 |
| 41 | £165.04 | £203.85 |
| 40 | £161.02 | £200.49 |
| 39 | £156.99 | £197.13 |
| 38 | £152.97 | £193.78 |
| 37 | £148.94 | £190.42 |
| 36 | £144.91 | £187.06 |
| 35 | £140.89 | £183.71 |
| 34 | £136.86 | £180.34 |
| 33 | £132.84 | £176.99 |
| 32 | £128.81 | £173.63 |
| 31 | £124.79 | £170.28 |
| 30 | £120.76 | £166.92 |
| 29 | £116.74 | £163.56 |
| 28 | £112.71 | £160.21 |
| 27 | £108.69 | £156.85 |
| 26 | £104.66 | £153.49 |
| 25 | £100.64 | £150.13 |
| 24 | £96.61 | £146.77 |
| 23 | £92.58 | £143.42 |
| 22 | £88.56 | £140.06 |
| 21 | £84.53 | £136.70 |
| 20 | £80.51 | £133.35 |
| 19 | £76.48 | £129.99 |
| 18 | £72.46 | £126.63 |
| 17 | £68.43 | £123.27 |
| 16 | £64.41 | £119.92 |

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| 15 | £60.38 | £116.56 |
| 14 | £56.36 | £113.20 |
| 13 | £52.33 | £109.84 |
| 12 | £48.30 | £106.49 |
| 11 | £44.28 | £103.13 |
| 10 | £40.25 | £99.77 |

FOURTH SCHEDULE

Regulation 24(5)

Weekly Rates of Old Age Pension and Increase for a Wife or Old Age Pension for a Wife by Virtue of her Husband's Record in Cases of Partial Satisfaction of Contribution Conditions: effective 6th January, 2020.

| Contribution Average | Old Age Pension | Increase |
|----------------------|-----------------|----------|
| 50 | £222.58 | £111.49 |
| 49 | £218.13 | £109.26 |
| 48 | £213.68 | £107.03 |
| 47 | £209.23 | £104.80 |
| 46 | £204.77 | £102.57 |
| 45 | £200.32 | £100.34 |
| 44 | £195.87 | £98.11 |
| 43 | £191.42 | £95.88 |
| 42 | £186.97 | £93.65 |
| 41 | £182.52 | £91.42 |
| 40 | £178.06 | £89.19 |
| 39 | £173.61 | £86.96 |
| 38 | £169.16 | £84.73 |
| 37 | £164.71 | £82.50 |
| 36 | £160.26 | £80.27 |
| 35 | £155.81 | £78.04 |
| 34 | £151.35 | £75.81 |
| 33 | £146.90 | £73.58 |
| 32 | £142.45 | £71.35 |
| 31 | £138.00 | £69.12 |
| 30 | £133.55 | £66.89 |
| 29 | £129.10 | £64.66 |
| 28 | £124.64 | £62.43 |
| 27 | £120.19 | £60.20 |
| 26 | £115.74 | £57.97 |
| 25 | £111.29 | £55.75 |
| 24 | £106.84 | £53.52 |
| 23 | £102.39 | £51.29 |
| 22 | £97.94 | £49.06 |
| 21 | £93.48 | £46.83 |
| 20 | £89.03 | £44.60 |
| 19 | £84.58 | £42.37 |
| 18 | £80.13 | £40.14 |
| 17 | £75.68 | £37.91 |
| 16 | £71.23 | £35.68 |

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| 15 | £66.77 | £33.45 |
| 14 | £62.32 | £31.22 |
| 13 | £57.87 | £28.99 |
| 12 | £53.42 | £26.76 |
| 11 | £48.97 | £24.53 |
| 10 | £44.52 | £22.30 |

FIFTH SCHEDULE

Regulation 24(6)

Reduced Rates of Bereavement Payment in Cases of Partial Satisfaction of
Contribution Conditions: effective 6th January, 2020

| Contribution Average | Bereavement Payment |
|----------------------|---------------------|
| 50 | £2,021.00 |
| 49 | £1,981.00 |
| 48 | £1,940.00 |
| 47 | £1,900.00 |
| 46 | £1,859.00 |
| 45 | £1,819.00 |
| 44 | £1,778.00 |
| 43 | £1,738.00 |
| 42 | £1,698.00 |
| 41 | £1,657.00 |
| 40 | £1,617.00 |
| 39 | £1,576.00 |
| 38 | £1,536.00 |
| 37 | £1,496.00 |
| 36 | £1,455.00 |
| 35 | £1,415.00 |
| 34 | £1,374.00 |
| 33 | £1,334.00 |
| 32 | £1,293.00 |
| 31 | £1,253.00 |
| 30 | £1,213.00 |
| 29 | £1,172.00 |
| 28 | £1,132.00 |
| 27 | £1,091.00 |
| 26 | £1,051.00 |
| 25 | £1,011.00 |
| 24 | £970.00 |
| 23 | £930.00 |
| 22 | £889.00 |
| 21 | £849.00 |
| 20 | £808.00 |
| 19 | £768.00 |
| 18 | £728.00 |
| 17 | £687.00 |
| 16 | £647.00 |
| 15 | £606.00 |

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| 14 | £566.00 |
| 13 | £525.00 |
| 12 | £485.00 |
| 11 | £445.00 |
| 10 | £404.00 |

11

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the schedules to the Social Insurance (Benefits) Regulations, 2003, and prescribe the reduced rates of benefit payable from 6th January, 2020 to claimants who do not satisfy the conditions for entitlement to payment of the maximum rate of benefit.

These Regulations also provide for the payment of old age pension to a prisoner over pensionable age for the last 18 weeks of that prisoner's sentence or detention. The payment will be made directly to a prisoner when they are released from prison.

These Regulations come into force on the 1st January, 2020, except for Regulation 2, which comes into force on the 6th January, 2020.

