

GUERNSEY STATUTORY INSTRUMENT

ENTITLED

The Social Insurance (Benefits) Regulations, 2003 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free

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G.S.I. No. 37 of 2003; as amended by the: Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance, 2017 (No. XIII of 2017); Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Alderney) Ordinance, 2018 (Alderney Ordinance No. VIII of 2018); Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021 (No. V of 2021); Social Insurance (Benefits) (Amendment) Regulations, 2004 (G.S.I. No. 45 of 2004); Social Insurance (Benefits) (Amendment) Regulations, 2005 (G.S.I. No. 43 of 2005); Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2005 (G.S.I. No. 47 of 2005); Social Insurance (Benefits) (Amendment) Regulations, 2006 (G.S.I. No. 35 of 2006); Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006 (G.S.I. No. 48 of 2006); Social Insurance (Benefits) (Amendment) Regulations, 2007 (G.S.I. No. 44 of 2007); Social Insurance (Benefits) (Amendment) Regulations, 2008 (G.S.I. No. 66 of 2008); Social Insurance (Benefits) (Amendment) Regulations, 2009 (G.S.I. No. 37 of 2009); Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009 (G.S.I. No. 93 of 2009); Social Insurance (Benefits) (Amendment) Regulations, 2010 (G.S.I. No. 117 of 2010); Social Insurance (Benefits) (Amendment) Regulations, 2011 (G.S.I. No. 32 of 2011); Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011 (G.S.I. No. 54 of 2011); Social Insurance (Benefits) (Amendment) Regulations, 2012 (G.S.I. No. 16 of 2012); Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012 (G.S.I. No. 72 of 2012); Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013 (G.S.I. No. 69 of 2013); Social Insurance (Benefits) (Amendment) Regulations, 2014 (G.S.I. No. 78 of 2014); Social Insurance (Benefits) (Amendment) Regulations, 2015 (G.S.I. No. 108 of 2015); Social Insurance (Benefits) (Amendment) Regulations, 2016 (G.S.I. No. 48 of 2016); Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016 (G.S.I. No. 74 of 2016); Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016 (G.S.I. No. 75 of 2016); Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017 (G.S.I. No. 70 of 2017); Social Insurance (Benefits) (Amendment) Regulations, 2017 (G.S.I. No. 115 of 2017); Social Insurance (Benefits) (Amendment) Regulations, 2018 (G.S.I. No. 87 of 2018); Social Insurance (Benefits) (Amendment) Regulations, 2019 (G.S.I. No. 127 of 2019); Social Insurance (Benefits) (Amendment) Regulations, 2020 (G.S.I. No. 124 of 2020); Social Insurance (Benefits) (Amendment) Regulations, 2021 (G.S.I. No. 23 of 2021); Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021 (G.S.I. No. 157 of 2021); Social Insurance (Benefits) (Amendment) Regulations, 2022 (G.S.I. No. 95 of 2022); Social Insurance (Benefits) (Amendment) Regulations, 2023 (G.S.I. No. 139 of 2023); Social Insurance (Benefits) (Amendment) Regulations, 2024 (G.S.I. No. 111 of 2024); Social Insurance (Benefits) (Amendment) Regulations, 2025 (G.S.I. No. 134 of 2025). See also the: Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009 (No. VII of 2010); Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 (No. XXII of 2015); Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018 (G.S.I. No. 45 of 2018).

Consolidated text

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GUERNSEY STATUTORY INSTRUMENT

ENTITLED

The Social Insurance (Benefits) Regulations, 2003

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Explanatory Note.

(Made on 12th December, 2003.)

The Social Insurance (Benefits) Regulations, 2003

THE GUERNSEY SOCIAL SECURITY AUTHORITY, in exercise of the powers conferred upon it by sections 20-24, 26-28, 30-33, 37-39, 61, 63-65, 67, 69, 73, 96, 98 and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^a, and of all other powers enabling it in that behalf, hereby orders: –

PART I INTERPRETATION

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 –

"claim for benefit" does not include any application for the review of an award or a decision; and the expression **"claims benefit"** and every reference to a claim shall be construed accordingly,

"certifying practitioner" means –

- (a) a recognised dentist within the meaning of the Doctors, Dentists and Pharmacists Ordinance, 1987^b,

^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.

^b Ordinance No. XVII of 1987.

- (b) a recognised medical practitioner within the meaning of the Doctors, Dentists and Pharmacists Ordinance, 1987,
- (c) a physiotherapist registered with the Health Professions Council under the Health Professions Order 2001,
- (d) a person registered as a fully registered osteopath or a conditionally registered osteopath with the General Osteopathic Council under the Osteopaths Act 1993,
- (e) a person registered as a chiropractor with the General Chiropractic Council under the Chiropractors Act 1994,
- (f) such other persons as may from time to time be recognised by [the Committee], or in any particular case by the Administrator, as competent for the purpose,

["**civil partner**" means a person who is registered as the civil partner of the mother under the Civil Partnership Act, 2004, or who is treated under that Act as having formed a civil partnership by virtue of having registered an overseas relationship within the meaning of that Act, and whose civil partnership, or registered overseas relationship, has not been dissolved or annulled, and "**civil partnership**" shall be construed accordingly,]

"**determining authority**" means the Administrator or the Tribunal, as the case may require,

"**draft**" means a payable order or any other instrument payable through a bank,

"Guernsey ship" means a ship or vessel registered in Guernsey of which the owner (or managing owner if there is more than one owner) or the manager resides or has his principal place of business in Guernsey,

"incapacity" means incapacity by reason of which a person is rendered incapable of work,

[**"keeping in touch day"** has the same meaning for the purposes of these regulations as it has for the purposes of the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016,]

"manager" means, in relation to any ship or vessel, the ship's husband or other person to whom the management of the ship or vessel is entrusted by or on behalf of the owner; and references to the owner of a ship or vessel shall, in relation to a ship or vessel which has been demised, be construed as referring to the person for the time being entitled as charterer to possession and control of the ship or vessel, by virtue of the demise or any sub-demise,

"mariner" means a person who is or has been employed under a contract of service either as master or a member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel where –

- (a) the employment in that other capacity is for the purposes of the ship or vessel or her crew or of any passengers or cargo or mails carried thereby, and
- (b) the contract is entered into in Guernsey with a view to its performance (in whole or in part) while the ship or vessel is on her voyage,

"midwife" means a person who is for the time being registered as a

midwife under the provisions of the Nurses, Midwives and Health Visitors Ordinance, 1987^c,

["**partner**" means –

- (a) in the context of regulation 42B, a person (whether of a different sex or the same sex) who lives with the mother and with the child in respect of whom a claim for a newborn care allowance relates in an enduring family relationship but is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew, and
- (b) in the context of regulation 42C, a person (whether of a different sex or the same sex) who lives with the relevant person and with the child in respect of whom a claim for a parental allowance relates in an enduring family relationship but is not the relevant person's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew,]

"**prescribed disease**" has the meaning assigned to it by regulation 1 of the Social Insurance (Industrial Injuries Benefits) (Guernsey) Regulations, 1978^d,

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

"**pension**" means [States pension], bereavement allowance or

^c Recueil d'Ordonnances Tome XXIV p. 238.

^d S.I. 1978 No. 31; S.I. 2002 No. 50.

widowed parent's allowance,

"relevant contribution year" means the last complete contribution year before the benefit year which includes the day for which benefit is claimed,

[**"surrogacy arrangement"** has the meaning given in section 109 of the Children (Guernsey and Alderney) Law, 2008,]

"the relevant person" means the person by whom the contribution conditions for death grant or survivors' benefits are to be satisfied,

"the Contributions Regulations" means the Social Insurance (Contributions) Regulations, 2000^e,

and any other expressions have the same meanings as in the Law.

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

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

^e S.I. 1999 No. 49.

^f Ordres en Conseil Vol. XIII p. 355.

NOTES

In regulation 1,

the words in square brackets in the definition of the expression "certifying practitioner" in paragraph (1) 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;¹

the definition of the expressions "civil partner", "keeping in touch day", "partner" and "surrogacy arrangement" were inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 3, respectively paragraph (a), paragraph (b), paragraph (c) and paragraph (d), with effect from 1st January, 2017;

the words in square brackets in the definition of the expression "pension" in paragraph (1) were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021.

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 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.²

In accordance with the provisions of the Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015, section 27(2), with effect from 3rd December, 2015, the reference in this regulation to a "recognised medical practitioner" is to be construed as a reference to a registered practitioner within the meaning of section 26(1) of the 2015 Ordinance.

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.

PART II
CLAIMS AND PAYMENTS

SECTION 1
CLAIMS

Claims not required in certain cases.

2. [Incapacity] benefit may be paid without a claim being made therefor in the case of a person who, immediately before he became entitled to [incapacity] benefit, was in receipt of sickness benefit or industrial injury benefit.

NOTE

In regulation 2, the word "I/incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

Claims to be made to [the Committee] in writing.

3. [(1) (a) Every claim for benefit shall be made in writing to [the Committee] on such form as may, from time to time, be approved by [the Committee] for the purpose of the benefit for which the claim is made, or in such other manner, being in writing, as [the Committee] may accept as sufficient in the circumstances of any particular case or class of cases.
- (b) Every person making a claim to benefit shall fully

disclose any material fact or circumstance which may affect his entitlement to benefit.

- (c) A person who fails to disclose any fact or circumstance as required by the preceding sub-paragraph, with intent fraudulently to obtain a benefit, is guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the uniform scale.]

(2) Subject to any directions given by or on behalf of [the Committee] in any particular case or class of case, a person claiming unemployment benefit shall attend in person at [the Committee]'s office.

(3) [Except in circumstances specified by [the Committee], a] person who claims sickness benefit (other than a woman who claims sickness benefit by reason of her expected confinement), [incapacity] benefit or industrial injury benefit shall furnish evidence of incapacity in respect of the day or days for which the claim is made by means of a certificate given, in accordance with the following provisions of this regulation, by a certifying practitioner, in the form appropriate to the circumstances of the case, or by such other means as the Administrator may accept as sufficient in the circumstances of the case; and for the purposes of this paragraph –

- (a) every such certificate shall be completed in writing in ink or other indelible substance and shall bear the date of the examination and signature of the certifying practitioner,
- (b) the practitioner shall specify, in such certificate, as precisely as his knowledge of the claimant's condition at the time of the examination permits, the disease,

disablement or infirmity for which the examination was undertaken and which renders the claimant incapable of work:

provided that if, in the signatory's opinion, the disclosure to the claimant of the precise disease, disablement or infirmity would be prejudicial to his well-being, the certificate may contain a less precise statement of that disease, disablement or infirmity.

(4) A person who claims industrial medical benefit but not sickness benefit, [incapacity] benefit or industrial injury benefit, shall furnish evidence of having been examined by a certifying practitioner in respect of a personal injury caused by accident or a prescribed disease by means of a certificate in the form appropriate to the circumstances of the case, or by such other means as the Administrator may accept as sufficient in the circumstances of the case, in either case in accordance with the provisions of the preceding paragraph of this regulation.

(5) (a) Every woman by whom, or on whose behalf, a claim for [a maternity grant, a maternal health allowance or a newborn care allowance] is made shall furnish evidence

(i) where the claim is made in respect of expectation of confinement, that she is pregnant and as to the stage which she has reached in her pregnancy, or

(ii) here the claim is made by virtue of the fact of confinement, that she has been confined,

by means of a certificate, given by a certifying practitioner who is a medical practitioner or by a midwife, in the form approved by [the Committee],

- (b) every certificate of expected confinement or of confinement shall be completed in writing in ink or other indelible substance and shall bear the date of the examination and signature of the medical practitioner or midwife,
- (c) no certificate of expected confinement shall be issued earlier than 16 weeks before the week in which it is expected that the woman will be confined.

[(6) Every person (other than a woman as described in paragraph (5)) by whom, or on whose behalf, a claim for a newborn care allowance is made shall furnish evidence of the fact of the confinement to which the claim relates, by means of a certificate, given by a certifying practitioner who is a medical practitioner or by a midwife, in the form approved by the Committee, or by means of a birth certificate.

(7) A certificate of expected confinement or of confinement given by or on behalf of the Committee, further to verification of an expected confinement or confinement issued by or on behalf of the States Committee for Health & Social Care in such manner as the Committee shall determine, shall be treated as a certificate given by a certifying practitioner or midwife under paragraph (5) or (6) as the case may be.

(8) A person who claims an adoption grant or a parental allowance, shall furnish evidence, in the form of one or more documents issued by the adoption agency that matched the person with the child of –

- (a) the date on which the person was notified that they had been matched with the child,
- (b) the date on which the adoption agency expects to place the child with the person, and
- (c) where the child was the subject of an overseas adoption for the purposes of the Adoption (Designation of Overseas Adoptions) Ordinance, 1979 (**'the 1979 Ordinance'**), the person must also –
 - (i) notify the Committee of the fact that the adoption is an overseas adoption for the purposes of the 1979 Ordinance, and
 - (ii) notify the Committee of the date when the child entered, or is expected to enter, Guernsey, and
 - (iii) provide evidence of the type specified in section 2(1) of the 1979 Ordinance, that the overseas adoption has been effected, and where that evidence comprises in whole or in part a document that is not in the English language, the person must also provide a translation of that document that conforms with the relevant requirements of section 2(2) of that Ordinance.]

NOTES

In regulation 3,

paragraph (1) was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 1(1), with effect from 3rd January, 2005;

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;

the words in the first pair of square brackets in paragraph (3) were substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2009, regulation 1, with effect from 8th July, 2009;

the word "incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

first, the words in the first pair of square bracket in paragraph (5) were substituted and, second, paragraph (6), paragraph (7) and paragraph (8) were inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, respectively regulation 4 and regulation 5, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.

Claims not on appropriate forms.

4. Where a claim for benefit has been made on an approved form other than the form appropriate to the benefit claimed, [the Committee] may treat the claim as if it had been made on the appropriate form:

Provided that [the Committee] may in any such case require the claimant to complete the appropriate form.

NOTE

In regulation 4, 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.

Information to be given when making a claim for benefit.

5. (1) Every person who makes a claim for benefit shall furnish such certificates, documents, information and evidence for the purpose of determining the claim as may be required by or on behalf of [the Committee] and, if reasonably so required, shall for that purpose attend at such office or place as [the Committee] may direct.

(2) Every person who makes a claim for widowed parent's allowance shall, in particular, furnish such certificate relating to the birth of the child and such other information to show that the child is or may be treated as included in that person's family, as [the Committee] may require.

(3) Every person who makes a claim for an increase in respect of a wife shall furnish, if required, information as to her identity, date of birth, usual place of residence, occupation and a certificate of the marriage together with a declaration signed by her confirming the information given.

(4) Every person who makes a claim for a death grant shall, in particular, furnish the following information –

- (a) if required by [the Committee], a death certificate relating to the deceased; and, where the claim is in respect of the death of a child, such certificate relating to the birth of a child, and such other information, as [the Committee] may reasonably require, in support of any contention that immediately before the death of the child or relevant person, as the case may be, the child was a child of the family of the relevant person,
- (b) if required by [the Committee], the estimate or account of the undertaker.

NOTE

In regulation 5, 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.

Amendment of claim forms.

6. (1) If, owing to the absence of due signature or of due certification, a claim is defective at the date of its receipt by [the Committee], [the Committee] may, in its discretion, refer the claim to the claimant, and if the form is returned duly signed and certified within one month from the date on which it is so referred, [the Committee] may treat the claim as if it had been duly made in the first instance.

(2) Any person who has made a claim for benefit in accordance with the provisions of these regulations may amend his claim, at any time before a decision has been given thereon, by notice in writing delivered or sent to [the Committee], and any claim so amended may be treated as if it had been made as so amended in the first instance.

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.

Interchange with claims for other benefits under the Law.

7. (1) Where it appears that a person who has made a claim for industrial injury, [incapacity], [parental], sickness or unemployment benefit may be entitled to any other of those benefits, any such claim may be treated as a claim in the alternative for that other benefit.

(2) Any claim for industrial medical benefit or industrial injury benefit may be treated as a claim in the alternative for the other benefit.

NOTES

In regulation 7,

the word in the first pair of square bracket in paragraph (1) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

the word in the second pair of square bracket in paragraph (1) was substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 6, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.

General limitation of right to benefit and prescribed times for the making of claims.

8. (1) Notwithstanding anything contained in these regulations no sum shall be paid to any person on account of any benefit in respect of any period more than twelve months before the date on which the claim therefor is made.

(2) Subject to the further provisions of this regulation if a person fails to make his claim for any benefit within the prescribed time, he shall be disqualified for the receipt of benefit to the extent specified in paragraph (4) of this regulation.

(3) The prescribed times for the making of claims for benefits shall be –

(a) in relation to unemployment benefit, on the day claimed,

- (b) in relation to industrial injury benefit, [incapacity] benefit or sickness benefit, within 3 months of the earliest day in respect of which benefit is claimed,
- (c) in relation to a pension or industrial disablement benefit, within 3 months of the date on which, apart from satisfying the condition of making a claim, the claimant becomes entitled thereto,
- (d) in relation to [a maternity grant, a maternal health allowance or a newborn care allowance], any time within the period beginning with the 16th week before the date on which it is expected that the claimant is to be confined and ending 3 months after the date of the confinement,
- (e) in relation to death grant, within 6 months (or such longer period as [the Committee] may determine in the circumstances of any particular case) of the date of the death of the deceased[.]
- [(f) in relation to an adoption grant and a parental allowance, any time within the period beginning with the second week before the date on which the child is expected to be placed with the person for adoption and ending 3 months after the placement date.]

(4) Subject to paragraph (5), where a claim is made after the prescribed time the extent to which a person shall be disqualified for receiving benefit shall be –

Consolidated text

- (a) in relation to unemployment benefit, death grant[, maternity grant or adoption grant], the benefit claimed,
 - (b) in relation to all other benefits, benefit for any period more than 3 months before the date on which the claim was made.
- (5) (a) If in any case the claimant proves that there was good cause for the failure to make the claim before the date on which it was made, the prescribed time for making that claim shall be extended to the date on which the claim is made.
- (b) If in any case the claimant proves –
- (i) that on a date earlier than the date on which the claim was made, apart from satisfying the condition of making a claim, he was entitled to the benefit, and
 - (ii) that throughout the period between the earlier date and the date on which the claim was made there was good cause for delay in making such claim,

he shall not be disqualified under this regulation for receiving any benefit to which he would have been entitled if the claim had been made on the said earlier date.

NOTES

In regulation 8,

the word in square bracket in paragraph (3)(a) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

first, the words in square brackets in paragraph (3)(d) were substituted, second, the punctuation in the second pair of square brackets in paragraph (3)(e) was substituted, third, paragraph (3)(f) was inserted and, fourth, the words in square brackets in paragraph (4)(a) were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, respectively regulation 7(a)(i), regulation 7(a)(ii), regulation 7(a)(iii) and regulation 7(b), with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

the words in the first pair of square brackets in paragraph (3)(e) 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.

Special provisions for claims to unemployment benefit.

9. (1) Every person who makes a claim for unemployment benefit shall attend at [the Committee]'s office or at such other place as [the Committee] may direct, on every working day, or on such working days as [the Committee] may direct, at such times as [the Committee] may direct, and, if required to do so, shall there sign a register to be kept for the purpose at the office of [the Committee] or at such other place, as the case may be.

(2) A claimant who, under these regulations, attends less frequently than on every working day, may on each attendance sign the register in respect of days on which the terms of the declaration set out in the register were satisfied in his case since his last attendance, as well as in respect of the actual day of attendance.

(3) The determining authority may in any particular case require a claimant, notwithstanding that he has signed the register in accordance with these regulations, to furnish further evidence that he was unemployed and not disentitled to

unemployment benefit on all or any of the days in respect of which he has signed the register.

NOTE

In regulation 9, 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.

Claims for limited medical benefit.

10. (1) For the purposes of section 38(4) of the Law no person shall be entitled to limited medical benefit in respect of any accident occurring on or after 1st January 1996.

(2) A person shall not be entitled to limited medical benefit in respect of an accident which occurred before 1st January 1996 unless a claim to benefit has been made to [the Committee] within twelve months of the date on which the accident occurred.

NOTE

In regulation 10, 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.

Claims for industrial medical benefit.

11. (1) Subject to the provisions of this regulation, a claim for industrial injury benefit in respect of personal injury caused by accident arising out of and in the course of employment shall also be treated as a claim for industrial medical benefit.

(2) A claim for industrial injury benefit shall not be treated as a

claim for industrial medical benefit unless it is made within a period of three months following the date on which the claimant sustained such personal injury or from the date on which such personal injury first became apparent, unless the claimant shows good cause for the delay in submitting the claim.

(3) Where a person is not incapable of work by reason of personal injury as aforesaid, a certificate received from a medical practitioner (or from some other person who may appear to [the Committee] to be a proper person to issue such a certificate) that he has given that person treatment for that injury shall be treated as a claim for that person for industrial medical benefit.

(4) The provisions of this regulation shall apply to any person whose incapacity for work or whose need for treatment is due to a disease or personal injury which is treated as a prescribed disease or injury in pursuance of regulations made under section 54 of the Law (which relates to industrial diseases and industrial injuries not caused by accident).

NOTE

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.

Claims in advance for incapacity benefits.

12. (1) Where it has been certified –
- (a) that a person is incapable of work and will continue to be incapable of work for the period specified in the certificate, or
 - (b) that a person (being a person who, throughout the period of six months immediately preceding the date of

the certificate, has been in receipt of sickness benefit) is incapable of work,

a claim for sickness benefit, [incapacity] benefit or industrial injury benefit may, unless [the Committee] otherwise directs, be made by that person in respect of the period of thirteen weeks, or such shorter period as [the Committee] may in the circumstances determine, in either case commencing immediately after the date of the certificate.

(2) Any claim for sickness benefit, [incapacity] benefit or industrial injury benefit made by any such person may, if it is made on the form containing the certificate, be treated by [the Committee] as a claim made also in respect of any days in the said period of thirteen weeks or in any such shorter period, as the case may be.

NOTES

In regulation 12,

the word "incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

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.

Claims in advance for [States pension].

13. (1) A claim for [States pension] may be made at any time not more than four months before the date on which the claimant will, subject to the fulfilment of the necessary conditions, become entitled to such a pension.

(2) For the purpose of facilitating the determination of a

subsequent claim for [States pension], a person may at any time not more than four months before the date on which he will attain pensionable age submit particulars in writing to [the Committee] in a form approved by it for that purpose with a view to the determination (in advance of a claim) of any questions under the Law relating to that person's title to [a States pension], and, subject to the necessary modifications, the provisions these regulations shall apply to any such particulars.

NOTES

In regulation 13,

the words, first, "States pension" and, second, "a States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2, respectively paragraph (a) and paragraph (b), with effect from 1st March, 2021;

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.

SECTION 2
PAYMENTS

Manner of payment of benefits.

14. (1) Subject to the provisions of these regulations payment of benefits shall be made –

- (a) by means of an automated credit transfer into a bank or other account,
- (i) in the name of the person entitled to benefit, his spouse or partner, or a person acting on his behalf, or

- (ii) in the joint names of the person entitled to benefit and his spouse or partner or person acting on his behalf, or
 - (iii) such other account as may be nominated by the person entitled to benefit, or
- (b) by a draft sent through the post or collected from [the Committee]'s offices, or
- (c) by such other means as may be agreed by or on behalf of [the Committee] after consultation with the person entitled to benefit.

NOTE

In regulation 14, 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.

Regulation 14A.

14A. [The Committee] may deduct, or authorise the deduction, from any sum payable by way of benefit any fee, cost or charge (including any bank charge) incurred by [the Committee], or by any other person or body, in connection with making payment of that sum including (without limitation) any transaction or other charge incurred for the purpose of effecting the payment of that sum to a beneficiary who is currently resident outside Guernsey.]

NOTES

Regulation 14A was inserted by the Social Insurance (Benefits) (Amendment) Regulations, 2012, regulation 1, with effect from 2nd April, 2012.

In regulation 14A, 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.

Time of payment of benefit.

15. (1) Bereavement payment, death grant, [...] maternity grant [and adoption grant] [...] shall be paid in accordance with an award thereof, as soon as it is reasonably practicable after such an award has been made by the determining authority.

(2) Bereavement allowance, industrial disablement benefit, [...] [States pension] and widowed parents' allowance shall be paid –

- (a) in respect of persons resident in the British Isles, weekly in advance on Mondays,
- (b) in respect of persons not so resident, in arrears at such interval as [the Committee] may determine as being appropriate to the country of residence.

[(3) Industrial injury benefit, [incapacity] benefit, sickness benefit, maternal health allowance, newborn care allowance and parental allowance shall be paid weekly in arrears on Mondays.]

(4) Where by reason of any provisions of the Law or of any regulations the date as from which a pension would commence or as from which a change in the rate of a pension would take effect, is a day of the week other than a Monday, the pension shall commence only, or the change in the rate of the pension shall take effect only, as from the Monday next following that day.

(5) Where the date on which a pension would cease to be payable is a day of the week other than a Sunday, the pension shall continue to be payable in respect of the days of the week up to but not including the Monday next following that day.

([9]) Notwithstanding anything contained in the foregoing provisions of this regulation, [the Committee] may in any particular case or class of cases arrange for the payment of any benefit otherwise than as provided in those provisions.

NOTES

In regulation 15,

the words omitted in the first and third pairs of square brackets in paragraph (1) and in the first pair of square brackets in paragraph (2) were revoked, the words in the second pair of square brackets in paragraph (1) were inserted, and paragraph (3) was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, respectively regulation 8(a)(i), regulation 8(a)(iii), regulation 8(b), regulation 8(a)(ii) and regulation 8(c), with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

the words in the second pair of square brackets in paragraph (2) were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021;

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;

the word in square bracket within paragraph (3) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

The figure in square brackets shown, incorrectly in the printed version of this Regulation as "9" should read "6".

Extinguishment of right to sums payable by way of benefit not obtained within prescribed time.

16. (1) The right to any sum payable by way of benefit shall be extinguished where payment thereof is not obtained within the period of twelve months from the date on which that sum is receivable in accordance with the following provisions of this regulation:

Provided that in calculating the said period of twelve months no account shall be taken of –

- (a) any period during which a draft containing the sum is in the possession of [the Committee] or at the place at which it is payable, other than a period after written notice has been given that the draft is available for collection,
 - (b) any period during which [the Committee] has under consideration any representation that a draft containing the sum has not been received or has been lost, mislaid or stolen,
 - (c) any period during which the person concerned is for the time being unable to act by reason of any mental incapacity, subject to the qualification that the total period disregarded on account of such inability to act shall not exceed one year, or
 - (d) any period during which the determination of any question as to such extinguishment is pending.
- (2) For the purposes of this regulation, a sum payable by way of

benefit shall, subject to the provisions of the next following paragraph and of regulation 23(3) of these regulations, be receivable –

- (a) in the case of a sum contained in a draft –
 - (i) if the draft is sent through the post, on the date on which it would be delivered in the ordinary course of post, and
 - (ii) in any other case, on the date of issue of the draft,
- (c) in the case of a sum not contained in a draft, where notice is given orally or in writing that the sum is available for collection –
 - (i) if written notice is sent through the post, on the date on which it would be delivered in the ordinary course of post, and
 - (ii) in any other case, on the date of the notice, and
- (d) in any case to which none of the preceding subparagraphs of this paragraph applies, twelve months (or such longer period as [the Committee] may determine in the circumstances of any particular case) after the date on which the sum became payable.

(3) In determining when a sum is receivable under the provisions of the foregoing paragraph, the following provisions shall apply –

Consolidated text

- (a) if a person proves that through no fault of his own he did not receive any such draft or written notice until a date later than the appropriate receivable date determined in accordance with the provisions of the foregoing paragraph, the sum contained in the order or draft or referred to in the notice shall be receivable –
 - (i) on that later date, or
 - (ii) on the date which is twelve months after the said appropriate receivable date, whichever is the earlier,

- (b) if a person proves that through no fault of his own he has not received any such draft or written notice, the sum contained in the original draft or referred to in the notice shall be receivable –
 - (i) on the date determined in accordance with the provisions of the foregoing paragraph on the basis of the issue of any further draft or notice in respect of that sum, or
 - (ii) on the date which is twelve months after the receivable date determined in accordance with the provisions of the foregoing paragraph on the basis of the original draft or notice, whichever is the earlier,

- (c) subject to the provisions of the preceding subparagraph, a sum which in accordance with the foregoing

provision of this regulation was receivable on any date, shall remain receivable on that date notwithstanding the issue since that date of a draft or notice in respect of that sum or any part thereof.

(4) Where a mariner has failed to obtain payment of benefit within the period of twelve months specified in these regulations, and his failure is due to the fact that he was absent from Guernsey by reason of his employment as a mariner, that proviso shall apply to him with the substitution for that period of such period as [the Committee] may, in any particular case, determine.

(5) Any sum payable by way of benefit to a person who is for the time being unable to act shall be receivable in accordance with the foregoing provisions of this regulation, notwithstanding his inability to give a receipt therefor.

NOTE

In regulation 16, 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.

Information to be given when obtaining payment of benefit.

17. [(1) (a) Every beneficiary and every person by whom or on whose behalf sums payable by way of benefit are receivable shall furnish in such manner and at such times as [the Committee] may determine such certificates and other documents and such information of facts affecting the right to benefit or to the receipt thereof as [the Committee] may require (either as a condition on which any sum or sums shall be receivable or otherwise), and in particular shall notify [the

Committee] in writing of any change of circumstances which he might reasonably be expected to know might affect the right to benefit, or to the receipt thereof, as soon as reasonably practicable after the occurrence thereof.

- (b) Any beneficiary who fails to disclose any such information as is required by the preceding subparagraph, with intent fraudulently to obtain a benefit, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the uniform scale.]

(2) Upon making any claim for benefit, any mariner who is or has been employed as master or a member of the crew of any ship or vessel shall, if so required, furnish to [the Committee] the number of his continuous discharge book and particulars of the ships and vessels on board which he was employed during any period material to the claim.

(3) Where any sum is receivable on account of an increase of benefit in respect of a wife the beneficiary shall, in such cases or classes of cases as [the Committee] may direct, furnish a declaration signed by her confirming the particulars furnished by the claimant.

NOTES

In regulation 17,

paragraph (1) was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 1(2), with effect from 3rd January, 2005;

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.

SECTION 3
MISCELLANEOUS PROVISIONS

Obligations of employers to investigate certain accidents.

18. Every employer, on it coming to his knowledge that an employee of his has sustained personal injury caused by accident arising out of and in the course of his employment, shall take reasonable steps to investigate the circumstances of such accident.

Obligations of employers to furnish certain information.

19. Every employer who is required so to do by the Administrator by notice in writing shall furnish him, within such period as may be specified in the notice, such information and particulars as he may require –

- (a) of any accident or alleged accident in respect of which benefit may be payable under Part III of the Law to, or in respect of the death of, a person employed by him at the time of the accident or alleged accident, or
- (b) of the nature of and other relevant circumstances relating to any occupation prescribed in pursuance of the provisions of section 55 of the Law in which any person to whom, or in respect of whose death, benefit may be payable under Part III of the Law, was or is alleged to have been employed by him, or
- (c) in order to determine a claim for unemployment benefit.

Payment of industrial benefits to persons under school-leaving age.

20. Where industrial injury benefit or industrial disablement benefit is payable to a person who is under school-leaving age, such benefit shall not be payable otherwise than to a parent or guardian of that person or to a person appointed by or on behalf of [the Committee] to receive the benefit on behalf of that person.

NOTES

In regulation 20, 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.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the reference in this regulation to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 2, with effect from 4th January, 2010, and having regard to the reference in this section to "guardian", a guardian or person referred to as such has parental responsibility in respect of a child if the conditions in paragraph (a) or paragraph (b) of that section are satisfied.

Beneficiaries unfit to deal with benefit.

21. (1) In the case of any person to whom benefit is payable, where it appears to [the Committee] that it is necessary so to do for the purpose of protecting the interests of that person or, where any increase of benefit is payable to that person in respect of any child or adult dependant, for the purpose of protecting the interests of that child or adult dependant, as the case may be, [the Committee] may appoint any other person to receive and deal with such benefit or such part thereof as [the Committee] thinks fit.

(2) [The Committee] may at any time in its absolute discretion revoke any appointment made under this regulation.

(3) Any person appointed under this regulation may, on giving [the Committee] one month's notice in writing of his intention so to do, resign his office.

(4) Subject to the provisions of the Social Insurance (Duties of Appointees) Regulations, 2002^g, the receipt of any person appointed under this regulation shall be a good discharge to [the Committee] and the Guernsey Insurance Fund for any sum paid to him by virtue of his appointment,

(5) A person who has not attained the age of eighteen shall not be capable of being appointed to act under this regulation.

NOTE

In regulation 21, 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.

Persons unable to act.

22. (1) In the case of any person to whom benefit is payable or who is alleged to be entitled to benefit or by whom or on whose behalf a claim for benefit has been made, and who is a child or a person unable for the time being to act, where such child or person has no guardian, [the Committee] may, upon written application being made to it, appoint a person to exercise on behalf of the child or person who is unable to act any right to which that child or person may be entitled under the Law and to receive and deal with any sums payable on behalf of such child or person:

^g S.I. 2002 No. 2.

Provided that –

- (a) any such appointment by [the Committee] shall terminate on the day immediately prior to the date on which [the Committee] is notified that a guardian has been appointed,
- (b) a person who has not attained the age of eighteen shall not be capable of being appointed to act under this regulation, and
- (c) [the Committee] may at any time in its absolute discretion revoke any appointment made under this regulation, and
- (d) any person appointed under this regulation may, on giving [the Committee] one month's notice in writing of his intention so to do, resign his office.

(2) Subject to the provisions of the Social Insurance (Duties of Appointees) Regulations, 2002, anything required by these regulations to be done by or to any such person as aforesaid who is a child or who is for the time being unable to act may be done by or to the guardian, if any, or by or to the person appointed under this regulation to act on his behalf, and the receipt of any person appointed under this regulation shall be a good discharge to [the Committee] and the Guernsey Insurance Fund for any sum paid.

NOTES

In regulation 22, 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.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 2, with effect from 4th January, 2010, and having regard to the references in this section to "guardian", a guardian or person referred to as such has parental responsibility in respect of a child if the conditions in paragraph (a) or paragraph (b) of that section are satisfied.

Payments on death.

23. (1) On the death of a person who has made a claim for benefit or who is alleged to have been entitled to benefit, or in respect of whose death a death grant is alleged to be payable, [the Committee] may appoint such person as it may think fit to proceed with or to make a claim for the benefit, and the provisions of these regulations and the Social Insurance (Duties of Appointees) Regulations, 2002 shall apply subject to the necessary modifications to any such claim:

Provided that in the case of a death grant a claim may be made by any person specified in the next succeeding paragraph.

(2) Subject to the provisions of paragraph (6) of this regulation, any sum payable by way of benefit which is payable under an award on a claim proceeded with or made under the foregoing paragraph may be paid or distributed by [the Committee] to or amongst persons claiming as personal representatives, legatees, next of kin, or creditors of the deceased (or, where the deceased was illegitimate, to or amongst other persons), and the provisions of regulation eleven of these regulations shall apply to any such payment or distribution:

Provided that –

- (a) the receipt of any such person who has attained the age of sixteen shall be a good discharge to [the Committee] and the Guernsey Insurance Fund for any sum so paid,

and

- (b) where [the Committee] is satisfied that any such sum or part thereof is needed for the benefit of any person under the age of sixteen, it may obtain a good discharge therefor by paying the sum or part thereof to a person over that age (who need not be a person specified in this paragraph) who satisfies [the Committee] that he will apply the sum so paid for the benefit of the person under the age of sixteen.

(3) Subject as aforesaid any sum payable by way of benefit to the deceased payment of which he had not obtained at the date of his death, may, unless the right thereto was already extinguished at that date, be paid or distributed to or amongst such persons as are mentioned in the last foregoing paragraph, and the provisions of regulation 16 of these regulations and of the proviso to the said paragraph shall apply to any such payment or distribution:

Provided that, for the purpose of paragraph (1) of the said regulation 16, the period of twelve months shall be calculated from the date on which the sum was receivable by any such person, and not from the date on which it was receivable by the deceased, and for this purpose the reference in paragraph (2)(d) of the said regulation 16 to the date on which the sum became payable, shall be construed as a reference to the date of the application to [the Committee] made in accordance with paragraph (6) of this regulation.

(4) In relation to a death grant, the reference in paragraph (2) of this regulation to creditors shall include a reference to any person who gives an undertaking in writing to pay the whole or part of the deceased's funeral expenses, so, however, that any payment of death grant to a person by virtue of this paragraph shall be subject to the condition that if the person fails to carry out any such undertaking he

shall repay to the Guernsey Insurance Fund any death grant so paid to him.

(5) Where any person has received an amount by way of death grant by virtue of the provisions of this regulation and is entitled to reimbursement of the deceased's funeral expenses out of the deceased's estate, his right to such reimbursement shall be reduced by the amount of the death grant received by him.

(6) Paragraphs (2) and (3) of this regulation shall not apply in any case unless written application for the payment of any such sum is made to [the Committee] within six months from the date of the deceased's death or within such longer period as [the Committee] may allow in any particular case.

(7) [The Committee] may dispense with strict proof of the title of any person claiming in accordance with the provisions of this regulation.

NOTE

In regulation 23, 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.

[Condition as to entitlement to industrial medical benefit.]

23A. (1) Where any insured person suffers personal injury caused by an accident arising out of and in the course of his employment, which requires hyperbaric treatment, the insured person shall not be entitled to industrial medical benefit unless he satisfies the condition in paragraph (3).

(2) The condition in paragraph (3) only applies where the insured person holds or is covered by a policy of private insurance cover for personal accidents.

- (3) The condition is that –
- (a) the insured person has made a claim under the policy for reimbursement of the costs of the hyperbaric treatment, and
 - (b) the claim has not been met in whole by the insurers under the policy.

(4) Where the insured person recovers part of the costs of the hyperbaric treatment further to a claim made in accordance with paragraph (3), he shall be entitled to an amount of industrial medical benefit reduced by the amount of that part of the costs recovered from the insurers.]

NOTE

Regulation 23A was inserted by the Social Insurance (Benefits) (Amendment) Regulations, 2016, regulation 1, with effect from 25th October, 2016.

PART III

GENERAL PROVISIONS APPLICABLE TO ALL BENEFITS

Partial satisfaction of the contribution conditions.

24. (1) Where a person would be entitled to any benefit but for the fact that the relevant contribution conditions set out in the First Schedule to the Law, though satisfied as regards the first condition as to contributions required to have been paid (or, in the case of death grant, paid or credited) are not satisfied in respect of the second condition as to contributions required to have been paid or credited, he shall nevertheless be entitled to benefit payable at a reduced rate in accordance with the following provisions of this regulation; and for the purposes of this regulation –

Consolidated text

- (a) the first condition as to contributions means the condition specified in paragraph 1(a), 4(1)(a) or (as the case may require) 5(1)(a) of the First Schedule to the Law,
- (b) the second condition as to contributions means the condition specified in paragraph 1(b), 4(1)(b) or (as the case may require) 5(1)(b) of the First Schedule to the Law.

(2) Where a person would be entitled to [incapacity] benefit, [maternal health allowance, newborn care allowance, parental allowance], sickness benefit or unemployment benefit by virtue of paragraph (1) of this regulation the respective reduced weekly rates of the benefit shall be those set out in the appropriate column of the First Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which correspond to the number of reckonable contributions of the appropriate class or their equivalent paid by or credited to him in respect of the relevant period.

(3) Where a person would be entitled to a death grant by virtue of paragraph (1) of this regulation the reduced rate of payment shall be that set out in the second column of the Second Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which correspond to the yearly average of reckonable contributions paid by or credited to the relevant person in respect of the relevant period.

(4) Where a person would be entitled to a bereavement allowance or widowed parent's allowance by virtue of paragraph (1) of this regulation the respective reduced weekly rates of the allowance shall be those set out in the appropriate column of the Third Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which correspond to the

yearly average of reckonable contributions paid by or credited to the relevant person in respect of the relevant period.

(5) Where a person would be entitled by virtue of paragraph (1) of this regulation to [a States pension] the reduced weekly rates of the pension or increase of [States pension] for a wife shall be those set out in the appropriate column of the Fourth Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which correspond to the yearly average of reckonable contributions paid by or credited to him in respect of the relevant period.

(6) Where a person would be entitled to a bereavement payment by virtue of paragraph (1) of this regulation the reduced rate of payment shall be that set out in the second column of the Fifth Schedule to these regulations opposite to the numbers set out in the first column of the said Schedule which correspond to the yearly average of reckonable contributions paid by or credited to the relevant person in respect of the relevant period.

NOTES

In regulation 24,

the word in the first pair of square brackets in paragraph (2) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

the words in the second pair of square brackets in paragraph (2) were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 9, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

the words, first, "States pension" and, second, "a States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2, respectively paragraph (a) and paragraph (b), with effect from 1st March, 2021.

Exceptions from disqualification for imprisonment, etc.

25. Section 67 of the Law shall not operate to disqualify a person for receiving industrial medical benefit, sickness benefit, [incapacity] benefit, industrial injury benefit, industrial disablement benefit, [maternal health allowance, newborn care allowance, parental allowance], widow's benefit, or [States pension] (including an increase for a wife), for any period during which that person is undergoing imprisonment or detention in legal custody in connection with a charge brought or intended to be brought against him in criminal proceedings or pursuant to any sentence or order for detention made by a court in such proceedings unless, in relation to him, a penalty is imposed at the conclusion of those proceedings.

NOTES

In regulation 25,

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

the words in the second pair of square brackets were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 10, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

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

Suspension of payment of benefit during imprisonment, etc.

26. [(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 [States 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).]

[(1A) The [States pension] payable to a prisoner under paragraph (1)(b) shall be –

- (a) the sum total of [States 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.]

(2) A person shall not be disqualified for receiving a death grant or bereavement payment by reason of undergoing a period of imprisonment or detention in legal custody, but the payment shall be suspended during any such period:

Provided that payment may nevertheless be made during any such period to any person appointed by or on behalf of [the Committee] to receive and deal with any sum payable on behalf of the beneficiary on account of the grant or payment, and the receipt of any person so appointed shall be a good discharge to [the Committee] for any sum so paid.

(3) Where, by virtue of the foregoing paragraphs of this regulation, payment of benefit is suspended for any period, the period of suspension shall not be taken into account in calculating whether the right to receive that payment has been extinguished.

NOTES

In regulation 26,

paragraph (1) was substituted and paragraph (1A) was inserted by the Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 3(a) and regulation 3(b), with effect from 1st January, 2020;³

the words "States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021;

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.

Application of the Law and regulations to mariners.

27. The provisions of the Law and of the regulations made thereunder shall, so far as they are not inconsistent with the provisions of these regulations, apply to mariners with this modification, that, where a mariner is, on account of his being at sea or outside Guernsey by reason of his employment as a mariner, unable to perform an act required to be done either forthwith or on the happening of a certain event or within a specified time, he shall be deemed to have complied therewith if he performs

the act as soon as is reasonably practicable, although after the happening of the event or the expiration of the specified time.

Interim payments, arrears and repayments.

28. (1) Subject to the provisions of this regulation, benefit shall be payable in accordance with an award, notwithstanding that an appeal against the award is pending, and, subject as aforesaid and to the provisions of regulation 15 of the Social Insurance (Determination of Claims and Questions) (Guernsey) Regulations, 1978^h, shall be treated as having been duly paid and shall not be recoverable under the provisions of the Law or otherwise.

(2) Where, in accordance with a decision given on a review or appeal, any benefit is required to be repaid to the Guernsey Insurance Fund, then, without prejudice to any other method of recovery, such benefit shall be recoverable by deduction from any benefit then or thereafter payable to the person by whom it is to be repaid or any persons entitled to receive his benefit on his death.

Overlapping benefits.

29. (1) In this regulation "**income replacement benefit**" means industrial injury benefit, [incapacity] benefit, [maternal health allowance, newborn care allowance, parental allowance], sickness benefit and unemployment benefit.

(2) No person shall receive more than one income replacement benefit in respect of the same period of interruption of employment or period of incapacity for work, but where, apart from the provisions of this regulation, more than one such benefit would be payable, he shall be entitled to receive the most advantageous.

(3) For the avoidance of doubt, nothing in this regulation shall

^h S.I. 1978 No. 20.

prevent the payment of an income replacement benefit to a person entitled to a bereavement allowance (including a widow pensioner whose entitlement is preserved in accordance with section 2 of the [Social Insurance (Amendment) (Guernsey) Law, 2003]ⁱ) or to a woman in respect of whom an increase of [States pension] is payable to her husband in accordance with section 61 of the Law.

NOTES

In regulation 29,

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

the words in the second pair of square brackets in paragraph (1) were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 11, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

the words in the second pair of square brackets in paragraph (3) were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021.

The words in the first pair of square brackets in paragraph (3) shown, incorrectly, in the printed version of this regulation, as the "Social Insurance (Amendment) (Guernsey) Law, 2003" should read the "Social Insurance (Guernsey) (Amendment) Law, 2003".

PART IV

**[BENEFITS FOR INCAPACITY AND UNEMPLOYMENT AND PARENTAL
BENEFIT]**

SECTION 1

GENERAL

i O. in C. No. XXIV of 2003.

Periods of interruption of employment and periods of incapacity for work.

30. (1) In these regulations –

- (a) a "**day of maternity**" means a day in relation to which [a maternal health allowance, a newborn care allowance or a parental allowance] may be payable,
- (b) a "**day of incapacity for work**" means a day in relation to which industrial injury benefit, [incapacity] benefit or sickness benefit may be payable, or a day of maternity,
- (c) a "**day of unemployment**" means a day in respect of which unemployment benefit may be payable, or a day of maternity,

(2) Any four days of incapacity for work or of maternity, whether consecutive or not, within a period of seven consecutive days shall be treated as a period of incapacity for work, and any two periods of incapacity for work not separated by a period of more than thirteen weeks ("**week**" for this purpose meaning any period of seven consecutive days) shall be treated as one period of incapacity for work.

(3) Any four days of unemployment, whether consecutive or not, within a period of seven consecutive days shall be treated as a period of interruption of employment, and any two periods of interruption of employment not separated by a period of not more than thirteen weeks ("**week**" for this purpose meaning any period of seven consecutive days) shall be treated as one period of interruption of employment.

(4) For the purpose of determining whether days of incapacity,

maternity or unemployment constitute a period of incapacity for work or a period of interruption of employment, no account shall be taken of days which are not days of incapacity or unemployment in consequence of participation in any programme operated under the Social Insurance (Back to Work Benefits) Regulations, 2004^{ia}.

(5) Where a period of incapacity for work or period of interruption of employment has commenced, subsequent days of incapacity or unemployment, as the case may be, not otherwise forming a period of incapacity for work or period of interruption of employment, and not separated by more than 14 days from the last such day, may be deemed to be part of that period where the Administrator is satisfied that the underlying incapacity or unemployment has continued.]

NOTES

The words in square brackets in the heading to Part IV were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 12, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁴

Regulation 30 was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2006, regulation 1, with effect from 25th September, 2006.

In regulation 30,

the words in square brackets in paragraph (1)(a) were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 13, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations;

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

[Calculation of daily rate of benefit.]

ia S.I. 2004 No. 46.

31. The amount payable for any day of incapacity for work, interruption of employment or maternity by way of industrial injury benefit, [incapacity] benefit, [maternal health allowance, newborn care allowance, parental allowance], sickness benefit or unemployment benefit forming part of a period of incapacity for work or period of interruption of employment shall be one-seventh of the appropriate weekly rate.]

NOTES

Regulation 31 was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2006, regulation 2, with effect from 25th September, 2006.

In regulation 31,

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

the words in the second pair of square brackets were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 14, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.

[Reckonable contributions treated as of the appropriate class.]

32. Where a person makes a claim for [incapacity] benefit, [maternal health allowance, newborn care allowance, parental allowance], sickness benefit or unemployment benefit and, in respect of weeks included in the relevant period, not less than 39 reckonable Class 1 or Class 2 contributions have been paid by or credited to him, then, for the purpose of the reference in the First Schedule to the Law to reckonable contributions of the appropriate class or their equivalent, there shall be treated as equivalent to a reckonable contribution of the appropriate class –

- (a) every Class 2 contribution paid by or credited to the claimant, and

- (b) every Class 3 contribution paid by the claimant; in respect of a week included in the relevant period.]

NOTES

Regulation 32 was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 1(3), with effect from 3rd January, 2005.

In regulation 32,

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

the words in the second pair of square brackets were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 15, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.

SECTION 2

INCAPACITY AND UNEMPLOYMENT BENEFITS

Persons deemed to be incapable of work.

33. (1) A person who is not incapable of work may be deemed to be incapable of work by reason of some specific disease or bodily or mental disablement for any day on which –

- (a) he is under medical care in respect of a disease or disablement as aforesaid and –
 - (i) it is certified by a medical practitioner that by reason of such disease or disablement he should abstain from work, and

- (ii) he does not work, [...]
- (b) he is excluded from work on the certificate of the States Medical Officer of Health and is under medical observation by reason of his being a carrier, or having been in contact with a case, of infectious disease[, or]
- [(c) where he is an essential worker for the purposes of any direction issued under the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021, or any regulations amending or replacing those Regulations –
 - (i) he is requested, whether directly or indirectly, by the States Medical Officer of Health to refrain from attending his place of work by reason that he may have been in contact with a case of infectious disease at a specific public gathering or place, and
 - (ii) he is unable to carry out his duties when refraining from attending his place of work.]

(2) Where a mariner is not disqualified on any day for receiving sickness benefit, [incapacity] benefit or industrial injury benefit although absent from Guernsey, he shall be deemed to be incapable of work by reason of some specific disease or bodily or mental disablement on any such day.

(3) A person who at the commencement of any day is, or thereafter on that day becomes, incapable of work by reason of some specific disease or bodily

or mental disablement and does no work as an employed or self-employed person on that day shall be deemed to be so incapable of work throughout that day.

NOTES

In regulation 33,

first, the word omitted in square brackets in paragraph (1)(a)(ii) was revoked, second, the punctuation and word in square brackets in paragraph (1)(b) were substituted and, third, paragraph (1)(c) was inserted by the Social Insurance (Benefits) (Amendment) Regulations, 2021, respectively regulation 1(a)(i), regulation 1(a)(ii) and regulation 1(a)(iii), with effect from 10th March, 2021;

the word in square brackets in paragraph (2) was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

Special provisions relating to day substituted for Sunday.

34. ...

NOTE

Regulation 34 was repealed by the Social Insurance (Benefits) (Amendment) Regulations, 2006, regulation 3(1), with effect from 25th September, 2006.

Night workers.

35. (1) For the purposes of unemployment, sickness and [incapacity] benefit, where a period of employment begun on any day extends over midnight into the following day, the person employed shall, in respect of such period –

- (a) be treated as having been employed on the first day only, if the employment before midnight is of longer duration than that after midnight, and, in that case, the first day shall not be treated as a day of interruption of

employment, or

- (b) be treated as having been employed on the second day only, if the employment after midnight is of longer duration than that before midnight, or if the employment before and after midnight is of equal duration, and, in either of these cases, the second day shall not be treated as a day of interruption of employment.

(2) Where a person –

- (a) is, by virtue of paragraph (1) of this regulation, to be treated as having been employed on one day only of two days, and
- (b) throughout that part of the other of those two days during which that person is not employed, is, or is deemed in accordance with regulations to be available for employment in an employed contributor's employment or incapable of work by reason of some specific disease or bodily or mental disablement,

that person shall, for the purposes of unemployment, sickness or [incapacity] benefit, be deemed to be so available for employment, or, as the case may be, to be so incapable of work, throughout that other of those two days.

(3) Where a person –

- (a) is, by virtue of paragraph (1) of this regulation, to be treated as having been employed on the second day

only of two days, and,

- (b) throughout the day immediately preceding the first of those two days, is, or is deemed in accordance with regulations to be, incapable of work by reason of some specific disease or bodily or mental disablement,

that person shall, for the purposes of sickness or [incapacity] benefit, be deemed to be so incapable of work throughout the first of those two days.

NOTE

In regulation 35, the word "incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

Days not to be treated as days of unemployment or incapacity for work.

36. (1) For the purposes of unemployment, sickness and [incapacity] benefit –

- (a) a day shall not be treated as a day of interruption of employment if it is a day in respect of which a person fails to prove, in such manner as [the Committee] shall require, that he is unemployed and capable of work and available for employment in an employed contributor's employment, or incapable of work, as the case may be,
- (b) a day shall not be treated as a day of unemployment if it is a day in respect of which a person is disqualified for receiving unemployment benefit,

Consolidated text

- (c) a day shall not be treated as a day of incapacity for work if it is a day in respect of which a person is disqualified for receiving sickness or [incapacity] benefit,
- (d) a day shall not be treated as a day of unemployment if it is a day in respect of which a person receives a payment (whether or not a payment made in pursuance of a legally enforceable obligation) in lieu either of notice or of the remuneration which he would have received for that day had his employment not been terminated,
- (e) a day shall not be treated as a day of unemployment if on that day a person does no work, and –
 - (i) is on holiday, or
 - (ii) is a person who does not ordinarily work on every day in a week (exclusive of Sunday or the day substituted therefor by these regulations) but who has, in the week in which the said day occurs, been employed to the full extent normal in his case,
- (f) a day shall not be treated as a day of incapacity for work if a person does any work on that day other than –
 - (i) work which is undertaken under medical supervision as part of his treatment while he is a patient in, or of, a hospital or similar institution,

or

- (ii) work which is not so undertaken and which he has good cause for doing,

and from which, in the case of work of either description, his weekly earnings, if any, are ordinarily less than half the lower earnings limit prescribed in the Contributions Regulations,

- (g) (subject to regulation 37) a day shall not be treated as a day of unemployment if on that day an insured person is following any occupation unless the earnings derived from that occupation, in respect of that day, do not exceed that multiple of one pound which exceeds, by one, one twelfth of the lower earnings limit prescribed by the Contributions Regulations, or, where the earnings are earned in respect of a longer period than a day, the earnings do not on the daily average exceed that amount.

(2) ...

NOTES

In regulation 36,

the word "incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

the words in square brackets in paragraph (1)(a) 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;

subsection (2) was repealed by the Social Insurance (Benefits) (Amendment) Regulations, 2006, regulation 3(2), with effect from 25th September, 2006.

Persons deemed to be available for employment.

37. (1) An insured person engaged in –
- (a) the manning of a lifeboat, or
 - (b) the performance of duty as a part time fireman in a fire brigade maintained in pursuance of the provisions of the Law entitled "Loi relative au Service Public pour l'Extinction des Incendies" registered on the 20th August, 1932, or maintained by or on behalf of the States of Alderney, as the case may be,

shall be deemed to be available for employment in an employed contributor's employment, and paragraph (1)(g) of the last foregoing regulation shall not apply to him.

(2) A mariner employed as master or a member of the crew of any crew of any ship or vessel shall notwithstanding that he is absent from Guernsey, be deemed to be available for employment in an employed contributor's employment on any day, if he would be so available were he, on that day, in Guernsey.

NOTE

The Law entitled "Loi relative au Service Public pour l'Extinction des Incendies" registered on the 20th August, 1932 was repealed by the Fire Services (Guernsey) Law, 1989, section 28, with effect from 4th November, 1991.

Special provisions relating to delay or failure in claiming benefit.

38. Notwithstanding anything contained in these regulations, a person who, in respect of any period of interruption of employment, would have been entitled to unemployment benefit for any day but for any delay or failure to make or prosecute a claim, shall, for the purposes of section 24 of the Law be treated as having been entitled to benefit for that day:

Provided that a person shall not be so treated where he shows that he did not intend, by failing to acquire or establish a right to benefit for that day, to avoid the necessity of requalifying for benefit under that section.

Disqualifications for sickness or [incapacity] benefit.

39. (1) A person shall be disqualified for receiving sickness benefit or [incapacity] benefit for such period not exceeding ten weeks as may be determined in accordance with sections 78 to 85 of the Law if –

- (a) he has become incapable of work through his own misconduct, except that this disqualification shall not apply where the incapacity is due to venereal disease or, in the case of a woman who is not a wife, or, being a wife, is separated from her [spouse], to pregnancy, or
- (b) he fails without good cause to comply with a notice in writing given by or on behalf of [the Committee] requiring him to do so, to attend for and to submit himself to medical or other examination on a date not earlier than the third day after the day on which the notice was sent and at a time and place specified in that notice, or
- (c) he fails without good cause to attend for, or to submit

himself to, medical or other treatment:

provided that this disqualification shall not apply to any failure to attend for, or to submit to, vaccination or inoculation of any kind or to a surgical operation of a minor character, and is considered by the determining authority to be unreasonable, or

(d) he fails without good cause to observe any of the following rules of behaviour, namely –

(i) to refrain from behaviour calculated to retard his recovery, and to answer any reasonable enquiries (not being enquiries relating to medical examination, treatment or advice) by or on behalf of [the Committee] directed to ascertaining whether his is doing so,

(ii) not be absent from his place of residence without leaving word where he may be found,

(iii) to do no work for which remuneration is, or would ordinarily be, payable unless it is work which is described in regulation 36(f) of these regulations.

(2) For the purposes of paragraph (1) of this regulation –

(a) "**week**" means any period of seven consecutive days, and

- (b) in computing the period of notice required to be given by sub-paragraph (b) of that paragraph, Sunday shall not be disregarded.

NOTES

In regulation 39,

the word "incapacity" in square brackets, wherever occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017;

the word in square brackets in paragraph (1)(a) was substituted by, first (in relation to Guernsey), the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance, 2017, section 1, Schedule 1, Part III, paragraph 18, with effect from 2nd May, 2017 and, second (in relation to Alderney), by the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Alderney) Ordinance, 2018, section 1, Schedule 1, Part III, paragraph 18, with effect from 14th June, 2018;

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.

Requalification for unemployment benefit.

[40. (1) For the purposes of section 24(3) of the Law, subject to paragraph (2), the earnings which are prescribed, are such earnings as are equal to or greater than 40 times the Young Persons' Minimum Wage Rate.

(2) For the purposes of paragraph (1), there shall be disregarded any earnings derived from any training scheme funded by the States.

(3) For the purposes of paragraph (1), "**the Young Persons' Minimum Wage Rate**" means the rate prescribed from time to time under section 3(1) of the Minimum Wage (Guernsey) Law, 2009.]

NOTE

Regulation 40 was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2011, regulation 1, with effect from 8th August, 2011.

SECTION 3

[PARENTAL BENEFIT]

Special conditions attaching to [a maternal health allowance].

41. (1) A woman who has become entitled to a [maternal health allowance] in respect of expectation of her confinement shall cease to be entitled thereto if, before the beginning of the eleventh week before the expected week of confinement, her pregnancy is terminated otherwise than by confinement.

(2) ...

(3) Subject to the provisions of paragraph (4), where, after the beginning of the sixth week before the week of expected confinement, a woman is incapable of work due to pregnancy or any related condition, any claim to incapacity benefit shall be treated as a claim to [maternal health allowance, and her maternal health allowance] period shall be computed from the first day of such incapacity.

(4) Notwithstanding the provisions of paragraph (3), a woman who has ceased to be incapable of work by reason of her pregnancy or a condition related to her pregnancy and has returned to work, may elect to suspend her claim to [maternal health allowance] for any period up to the day of her confinement, after which the period of her [maternal health allowance] shall be computed as if it were continuous from the last day of incapacity.

NOTES

The words in square brackets in the heading to Section 3 were substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 16 with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁵

In regulation 41, the words in square brackets in, first, the heading thereto, second, paragraph (1), third, paragraph (3) and, fourth, paragraph (4) were substituted and, fifth, paragraph (2) was revoked by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 17, respectively paragraph (a), paragraph (b), paragraph (d), paragraph (e) and paragraph (c), with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁶

[Claim start date in respect of a maternal health allowance.

41A. (1) A woman shall elect a date within the period for which a maternal health allowance is payable, when the provisions of section 28A(2) of the Law are applied to her personal circumstances, on which her claim to maternal health allowance is to commence.

(2) If no election is made by a woman under paragraph (1), her claim to a maternal health allowance will commence on the date of confinement.]

NOTE

Regulation 41A was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 18, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁷

Maternity grants in respect of multiple births.

42. A woman, confined of twins or a greater number of children shall, if the other conditions for the payment of a maternity grant are satisfied in respect of the confinement, be entitled in respect thereof to a maternity grant for each of them.

[Adoption grants in respect of the adoption of multiple children.

42A. An adopter who adopts more than one child shall, if the other conditions for the payment of an adoption grant are satisfied in respect of the adoption, be entitled in respect thereof to an adoption grant for each of them.]

NOTE

Regulation 42A was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 19, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁸

[Persons who are, or are to be regarded as, a parent for the purposes of section 28B of the Law.

42B. The following persons are, or shall be regarded as, a parent of a child to whom a claim for a newborn care allowance relates –

- (a) the mother of the child,
- (b) the father of the child, or
- (c) the person who at the date of the child's birth is married to or is the civil partner or partner of the child's mother.]

NOTE

Regulation 42B was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 18, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.⁹

Persons who are, or are to be regarded as, an adopter for the purposes of section 28C of the Law.

42C. (1) The following persons are, or shall be regarded as, an adopter of a child to whom a claim for parental allowance relates –

- (a) the person with whom the child in relation to whom a claim to parental allowance relates is, or is expected to be, placed for adoption, or, in a case where two people have been matched jointly, whichever of them has elected to be the child's adopter for the purposes of the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 ("**the relevant person**"), or
- (b) the person who at the date that the child in relation to whom a claim to parental allowance relates is placed for adoption is married to or is the civil partner or partner of the relevant person:

Provided that they satisfy one of the conditions in paragraph (2).

- (2) The conditions are –
 - (a) in the case of an employed person who is ordinarily resident in Guernsey, Herm or Jethou, that they are entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016,
 - (b) in the case of a self-employed person or a non-employed person who is ordinarily resident in Guernsey, Herm or Jethou, that the person would be

entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance 2016

–

- (i) if treated as an employed person for the purposes of that Ordinance, and
 - (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers,
- (c) in the case of an employed person who is ordinarily resident in Alderney, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016, if they were ordinarily resident in Guernsey, or
- (d) in the case of a self-employed person or a non-employed person who is ordinarily resident in Alderney, that the person would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 –
- (i) if –
 - (A) they were ordinarily resident in Guernsey, and
 - (B) treated as an employed person for the purposes of that Ordinance, and

- (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers.

(3) Notwithstanding the proviso in paragraph (1), the requirement to satisfy one of the conditions in paragraph (2) does not apply in respect of a person who is the intended parent of a child being born pursuant to a surrogacy arrangement.]

NOTE

Regulation 42C was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 18, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹⁰

[Circumstances in which a person is, or is to be regarded as, the primary caregiver of a child for the purposes of sections 28B and 28C of the Law.]

42D. (1) The person who is, or is to be regarded as, the primary carer-giver of a child for the purposes of entitlement to a newborn care allowance under section 28B of the Law, is the parent of the child to whom a claim for a newborn care allowance relates who spends the greater number of hours, whether by day or by night or both, providing care for the child during the course of –

- (a) any week, or
- (b) part of a week,

to which the claim relates.

(2) The person who is, or is to be regarded as, the primary carer-giver of a child for the purposes of entitlement to a parental allowance under section

28C of the Law, is the adopter of the child to whom a claim for a parental allowance relates who spends the greater number of hours, whether by day or by night or both, providing care for the child during the course of –

- (a) any week, or
- (b) part of a week,

to which the claim relates.

(3) For the purposes of paragraphs (1) and (2), care includes, but is not limited to –

- (a) the provision of the basic necessities of life,
- (b) attention in connection with bodily functions, and
- (c) supervision in order to avoid substantial danger to the child.

(4) In cases where the parents or adopters of a child fail jointly to identify who is the primary care-giver of the child, the Administrator shall determine which parent or adopter is to be regarded as the primary care-giver for the purposes of entitlement to a newborn care allowance or parental allowance based on –

- (a) the relevant provision of this regulation, and
- (b) evidence provided by the parents or adopters,

as the case may be, of such type, and in such manner, as the Administrator may request.

(5) Where a person fails or refuses, within such period as the Administrator may indicate, to provide evidence for the purposes of paragraph (4), the Administrator may determine the matter based on such evidence as is available at the time of determination.]

NOTE

Regulation 42D was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 18, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹¹

Disqualification for the receipt of a [maternal health allowance, newborn care allowance or parental allowance].

43. (1) A [person] shall be disqualified for receiving a [maternal health allowance, a newborn care allowance or a parental allowance] if, during the period for which the allowance is payable, [that person] does any work as an employed or self-employed person (including any such work which by virtue of any regulations made under the Law is to be disregarded for the purpose of the classification of insured persons), and such disqualification shall be for such part of the said period [...] as may be decided by the determining authority.

[(2) For the purposes of paragraph (1), a person shall not be considered to be working as an employed person on any keeping in touch day.]

NOTE

In regulation 43, the words in square brackets in, first, the heading thereto, second, the first, third, the second and, fourth the third pairs of square brackets in paragraph (1) were substituted and, fifth, the words omitted in the fourth pair of square brackets therein were revoked and, sixth, paragraph (2) was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 20, respectively paragraph (a), paragraph

(b)(i), paragraph (b)(ii), paragraph (b)(iii), paragraph (b)(iv) and paragraph (c), with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹²

[Maximum number of transfers between parents or adopters in respect of a newborn care allowance or a parental allowance.

43A. (1) Persons who are, or who are to be regarded as a parent for the purposes of section 28B of the Law, may elect to transfer a newborn care allowance between them no more than two times.

(2) Persons who are, or who are to be regarded as an adopter for the purposes of section 28C of the Law, may elect to transfer a parental allowance between them no more than two times.

(3) Notwithstanding paragraphs (1) and (2), the Administrator may permit additional transfers at his discretion.]

NOTE

Regulation 43A was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 21, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹³

[Modifications to the Law in relation to the period of a maternal health allowance, a newborn care allowance or a parental allowance payable in certain circumstances.

43B. (1) In the event of the death of the child in respect of whom a claim for a maternal health allowance relates before the end of the expiration of the compulsory maternity leave period, the period for which a maternal health allowance is payable shall be the continuous period of 26 weeks beginning [...] –

- (a) no earlier than the eleventh week before the expected week of confinement, and
- (b) no later than the date of confinement.

(2) In the event of a still birth within the period of sixteen weeks before the expected week of confinement, the period for which a maternal health allowance is payable shall be the continuous period of 26 weeks beginning –

- (a) no earlier than the sixteenth week before the expected week of confinement, and
- (b) no later than the date of confinement.

(3) In the event of the death of a woman during or as a result of a confinement or before the end of the compulsory maternity leave period, a newborn care allowance shall be payable from the day immediately after the woman's death –

- (a) to any person who is, or is regarded as, a parent of the child to whom a claim for a newborn care allowance relates under regulation 42B, and
- (b) for the continuous period of 26 weeks, less any period during which a maternal health allowance has been paid in respect of the child.

(4) In the event of a child to whom a claim for a maternal health allowance relates being taken into voluntary care, maternal health allowance shall continue to be payable for a period of four weeks commencing on the date that the child is taken into care, notwithstanding the fact that this period will end later than the expiration of the compulsory maternity leave period.

(5) In the event of a child to whom a claim for a newborn care allowance relates being taken into voluntary care, notwithstanding the fact that the person is then no longer the primary care-giver of the child, newborn care allowance shall continue to be payable to a person who is, or who is to be regarded as, a parent of the child under regulation 42B, for the period –

- (a) commencing on the date that the child is taken into care, and
- (b) ending no later than 26 weeks after the payment of maternal health allowance commenced,

subject to a maximum period of four weeks.

(6) In the event of a child to whom a claim for a parental allowance relates being taken into voluntary care, notwithstanding the fact that the person is then no longer the primary care-giver of the child, parental allowance shall continue be payable to a person who is, or who is to be regarded as, an adopter of the child under regulation 42C, for the period –

- (a) commencing on the date that the child is taken into care, and
- (b) ending no later than 26 weeks after the payment of parental allowance commenced,

subject to a maximum period of four weeks.]

NOTES

Regulation 43B was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 21, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹⁴

In regulation 43B, the words omitted in square brackets in paragraph (1) were revoked by the Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 2, with effect from 1st January, 2018.

Modifications to the Law in respect of persons ordinarily resident in Alderney.

43C. The conditions in respect of entitlement to adoption grant in section 28(2) of the Law are modified as follows in respect of persons ordinarily resident in Alderney –

- (a) in the case of an employed person, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016 if they were ordinarily resident in Guernsey, and
- (b) in the case of a self-employed person or a non-employed person, that they would be entitled to basic adoption leave under the Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2016, if they were ordinarily resident in Guernsey and –
 - (i) if treated as an employed person for the purposes of that Ordinance, and
 - (ii) disregarding for the purposes of that Ordinance any requirement placed upon an employed person to notify their employers.]

NOTE

Regulation 43C was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 21, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹⁵

[Exemption from the requirement to be the primary care-giver of the child in respect of a claim for a newborn care allowance or a parental allowance.

43D. (1) In the event of the death of a child to whom a claim for a newborn care allowance relates a person who is, or who is to be regarded as, a parent of the child under regulation 42B shall be exempt from the requirement in section 28B(1)(e) of the Law to be the primary care-giver of the child.

(2) In the event of the death of a child to whom a claim for a parental allowance relates a person who is, or who is to be regarded as, an adopter of the child under regulation 42C shall be exempt from the requirement in section 28C(1)(e) of the Law to be the primary care-giver of the child.]

NOTE

Regulation 43D was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 21, with effect from 1st January, 2017, subject to the transitional provisions, with effect from 2nd January, 2017, in regulation 22 of the 2016 Regulations.¹⁶

SECTION 4

MARINERS

Special provisions relating to days of unemployment or incapacity for mariners.

44. (1) A mariner employed as master or a member of the crew of any crew of any ship or vessel shall notwithstanding that he is absent from Guernsey, be deemed to be available for employment in an employed contributor's employment on any day, if he would be so available were he, on that day, in Guernsey.

(2) Where by virtue of regulation 36 of these regulations a person is not disqualified on any day for receiving sickness benefit, [incapacity] benefit or industrial injury benefit although absent from Guernsey, he shall be deemed to be incapable of work by reason of some specific disease or bodily or mental disablement on any such day.

NOTE

In regulation 44, the word in square brackets was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

Evidence of unemployment or incapacity for mariners.

45. (1) For the purpose of any claim to unemployment benefit, sickness benefit, [incapacity] benefit or industrial injury benefit by a mariner employed as master or a member of the crew of any ship or vessel, evidence may be taken –

- (a) in any part of Her Majesty's dominions, before a judge or magistrate, or by a superintendent,
- (b) in a foreign country, by a British consular officer.

(2) For the purpose of any claim to sickness benefit, [incapacity] benefit or industrial injury benefit by such a mariner, evidence of incapacity may be furnished by such means as the determining authority may accept as sufficient in the circumstances of any particular case.

NOTE

In regulation 45, the word "incapacity" in square brackets, wherever

occurring, was substituted by the Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017.

PART V

DEATH GRANT, [STATES PENSION] AND SURVIVOR'S BENEFITS

Calculation of yearly average of reckonable contributions.

46. For the purposes of section 20(4) of the Law the yearly average of reckonable contributions paid by or credited to any person in relation to death grant, [a States pension] or survivor's benefit shall be calculated by dividing, by the number of years in the relevant period –

- (i) in relation to an award of benefit prior to 6th January 1997, the total of all reckonable contributions paid by or credited to any person in respect of that period, or
- (ii) in relation to any award of benefit after 5th January 1997, the sum total of all reckonable contributions paid by or credited to any person from the date of his entry into insurance up to and including the contribution period containing the relevant time,

other than reckonable contributions derived from the following contributions –

- (a) contributions which are not paid on their due dates and are not treated in accordance with regulations under the Law as so paid for the purposes of death grant, [States pension] or survivor's benefit,

- (b) contributions credited under the Law only for purposes other than for the purposes of death grant, [States pension] or survivor's benefit,
- (c) contributions paid or credited under the legislation of another country which are to be treated as paid or credited under the Law in accordance with an agreement made under section 113 of the Law where –
 - (i) the period over which the average is to be calculated is 45 years, and
 - (ii) the combined total number of reckonable contributions will exceed 2270.

NOTE

In regulation 46, and the Heading to Part V, the words, first, "States pension" and, second, "a States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2, respectively paragraph (a) and paragraph (b), with effect from 1st March, 2021.

Modification of the Law in relation to death grant where the deceased was a child.

47. (1) Subject to the following provisions of this regulation, where the deceased was at death a child but the requirements of section 37(1) of the Law are not satisfied, a death grant shall be payable in respect of the death of the deceased if the relevant contribution conditions are satisfied by a parent (including a person who has adopted a child within the meaning of the Adoption (Guernsey) Law, 1960) of the deceased, notwithstanding that the deceased was not at death a child of the family of

that parent.

(2) The amount of a death grant payable by virtue of this regulation shall not exceed the amount of the deceased's funeral expenses.

(3) As regards a person deemed to have been a child in accordance with section 37 of the Law, he shall be treated as if he were, at death, the child of the family of any person –

- (a) in whose family he was, or could have been, but for a failure to make a claim, or for a prior claim by another person, included when he ceased to be a child, or
- (b) who is a parent.

NOTE

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this regulation to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

[Entitlement to widowed parent's allowance - condition as to age of child of family.]

47A. For the purposes of section 31(1)(a) of the Law, a claimant shall only be entitled to a widowed parent's allowance in respect of a child of their family who is under the age of eighteen years.]

NOTE

Section 47A was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 3, with effect from 3rd January, 2022.

Increase of [States pension] for wife.

48. For the purposes of an increase [a States pension] under section 61 of the Law, two spouses shall not be deemed to have ceased to reside together by reason of any absence of either or both of them while receiving medical or other treatment as an in-patient in a hospital or similar institution, notwithstanding that such absence is not temporary.

NOTE

In regulation 48, the words, first, "States pension" and, second, "a States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2, respectively paragraph (a) and paragraph (b), with effect from 1st March, 2021.

Provision as to maintenance of wife.

49. (1) For the purposes of section 61 of the Law a beneficiary shall not be deemed to be wholly or mainly maintaining his wife unless he contributes towards her maintenance an amount not less than the amount of the increase of benefit received in respect of her.

Choice of [States pension] by woman.

50. A woman who, but for the provisions of section 33(4) of the Law would be entitled for the same period to more than one [States pension] may by notice in writing to [the Committee] choose from time to time which pension she shall be entitled to for any week commencing after the date on which such notice is so given:

Provided that for any period in respect of which no such notice is given the woman

shall be treated as if she had chosen the pension which is payable at the higher or highest rate.

NOTES

In regulation 50,

the words "States pension" in square brackets, wherever occurring, were substituted by the Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021;

the words in the second pair of square brackets in paragraph (1)(a) 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 V(1)]

OTHER BENEFITS

Travelling allowance grant.

50A. (1) For the purposes of sections 36(1)(b)(i) and 36(1)(b)(ii) of the Law, the destinations to which a Travelling Allowance Grant may be awarded are limited as follows –

- (a) from Guernsey or Alderney to the United Kingdom, Jersey or France,
- (b) from Alderney to Guernsey.]

NOTES

Part V(1), and regulation 50A thereof, were inserted by the Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 1, with effect from 7th January, 2008.

Section 36 of the Social Insurance (Guernsey) Law, 1978 has since been

repealed by the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021, section 4(4), with effect from 1st January, 2022.

PART VI
MISCELLANEOUS

Repeals.

51. The Social Insurance (Benefits) (Miscellaneous Provisions) Regulations, 2000^j, the Social Insurance (Claims and Payments) (Guernsey) Regulations, 1978^k, the Social Insurance (General Benefit) (Guernsey) Regulations, 1978^l, the Social Insurance (Married Women and Widows) (Guernsey) Regulations, 1978^m, the Social Insurance (Mariners) (Guernsey) Regulations, 1978ⁿ, the Social Insurance (Unemployment, Sickness and Invalidity Benefit) (Guernsey) Regulations, 1978^o and the Social Insurance (Widow's Benefit and Old Age Pension) (Guernsey) Regulations, 1978^p, are hereby repealed.

Citation.

52. These regulations may be cited as the Social Insurance (Benefits) Regulations, 2003.

Commencement.

53. These regulations shall come into force on the 5th January 2004.

j	S.I. 1999 No. 47.
k	S.I. 1978 No. 23.
l	S.I. 1978 No. 26.
m	S.I. 1978 No. 22.
n	S.I. 1978 No. 28.
o	S.I. 1978 No. 29.
p	S.I. 1978 No. 24.

[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 5th January, 2026.

Reckonable Contributions	Maternal Health Allowance	Newborn Care Allowance	Parental Allowance	Sickness Benefit	Unemployment Benefit	Incapacity Benefit
50	£292.67	£292.67	£292.67	£215.04	£215.04	£258.30
48 – 49	£283.92	£283.92	£283.92	£208.60	£208.60	£250.53
46 – 47	£272.16	£272.16	£272.16	£199.99	£199.99	£240.24
43 – 45	£257.33	£257.33	£257.33	£189.21	£189.21	£227.29
40 – 42	£239.96	£239.96	£239.96	£176.33	£176.33	£211.82
37 – 39	£222.46	£222.46	£222.46	£163.45	£163.45	£196.28
34 – 36	£204.89	£204.89	£204.89	£150.50	£150.50	£180.81
30 – 33	£184.38	£184.38	£184.38	£135.45	£135.45	£162.75
26 – 29	£161.00	£161.00	£161.00	£118.30	£118.30	£142.10

]

NOTE

The First Schedule was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2025, regulation 2, Schedule, with effect from 5th January, 2026.¹⁷

Rates of Death Grant in Cases of Partial Satisfaction of Contribution Conditions: effective
5th January, 2026.

Average of Reckonable Contributions	Death Grant
45 or more	£841.00
30 - 44	£630.75
10 - 29	£420.50

]

NOTE

The Second Schedule was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2025, regulation 2, Schedule, with effect from 5th January, 2026.¹⁸

[THIRD SCHEDULE

Regulation 24(4)

Weekly Rates of Bereavement Allowance and Widowed Parent's Allowance in Cases of Partial Satisfaction of Contribution Conditions: effective 5th January, 2026.

Contribution Average	Bereavement Allowance	Widowed Parent's Allowance
50	£264.14	£307.17
49	£258.86	£302.76
48	£253.57	£298.36
47	£258.29	£293.95
46	£243.01	£289.54
45	£237.73	£285.13
44	£232.44	£280.74
43	£227.16	£276.33
42	£221.88	£271.92
41	£216.59	£267.51
40	£211.31	£263.11
39	£206.03	£258.70
38	£200.75	£254.30
37	£195.46	£249.89
36	£190.18	£245.49
35	£184.90	£241.09
34	£179.62	£236.67
33	£174.33	£232.28
32	£169.05	£227.87
31	£163.77	£223.46
30	£158.48	£219.05
29	£153.20	£214.65
28	£147.92	£210.24
27	£142.64	£205.84
26	£137.35	£201.43
25	£132.07	£197.03

Consolidated text

24	£126.79	£192.63
23	£121.50	£188.22
22	£116.22	£183.81
21	£110.94	£179.41
20	£105.66	£175.00
19	£100.37	£170.59
18	£95.09	£166.20
17	£89.81	£161.79
16	£84.52	£157.38
15	£79.24	£152.97
14	£73.96	£148.57
13	£68.68	£144.16
12	£63.39	£139.76
11	£58.11	£135.36
10	£52.83	£130.95

]

NOTE

The Third Schedule was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2025, regulation 2, Schedule, with effect from 5th January, 2026.¹⁹

[FOURTH SCHEDULE

Regulation 24(5)

Weekly Rates of States Pension and Increase for a Wife or States Pension for a Wife by
Virtue of her Husband's Record in Cases of Partial Satisfaction of Contribution Conditions:
effective 5th January, 2026.

Contribution Average	States Pension	Increase
50	£292.09	£146.32
49	£286.25	£143.39
48	£280.41	£140.47
47	£274.56	£137.54
46	£268.72	£134.61
45	£262.88	£131.69
44	£257.04	£128.76
43	£251.20	£125.84
42	£245.36	£122.91
41	£239.51	£119.98
40	£233.67	£117.06
39	£227.83	£114.13
38	£221.99	£111.20
37	£216.15	£108.28
36	£210.30	£105.35
35	£204.46	£102.42
34	£198.62	£99.50
33	£192.78	£96.57
32	£186.94	£93.64
31	£181.10	£90.72
30	£175.25	£87.79
29	£169.41	£84.87
28	£163.57	£81.94
27	£157.73	£79.01
26	£151.89	£76.09
25	£146.04	£73.16

Consolidated text

24	£140.20	£70.23
23	£134.36	£67.31
22	£128.52	£64.38
21	£122.68	£61.45
20	£116.84	£58.53
19	£110.99	£55.60
18	£105.15	£52.68
17	£99.31	£49.75
16	£93.47	£46.82
15	£87.63	£43.90
14	£81.79	£40.97
13	£75.94	£38.04
12	£70.01	£35.12
11	£64.26	£32.19
10	£58.42	£29.26

]

NOTE

The Fourth Schedule was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2025, regulation 2, Schedule, with effect from 5th January, 2026.²⁰

[FIFTH SCHEDULE

Regulation 24(6)

Reduced Rates of Bereavement Payment in Cases of Partial Satisfaction of Contribution

Conditions: effective 5th January, 2026.

Contribution Average	Bereavement Payment
50	£2,654.00
49	£2,601.00
48	£2,548.00
47	£2,495.00
46	£2,442.00
45	£2,389.00
44	£2,336.00
43	£2,282.00
42	£2,229.00
41	£2,176.00
40	£2,123.00
39	£2,070.00
38	£2,017.00
37	£1,964.00
36	£1,911.00
35	£1,858.00
34	£1,805.00
33	£1,752.00
32	£1,699.00
31	£1,645.00
30	£1,592.00
29	£1,539.00
28	£1,486.00
27	£1,433.00
26	£1,380.00
25	£1,327.00
24	£1,274.00

Consolidated text

23	£1,221.00
22	£1,168.00
21	£1,115.00
20	£1,062.00
19	£1,009.00
18	£955.00
17	£902.00
16	£849.00
15	£796.00
14	£743.00
13	£690.00
12	£637.00
11	£584.00
10	£531.00

]

NOTE

The Fifth Schedule was substituted by the Social Insurance (Benefits) (Amendment) Regulations, 2025, regulation 2, Schedule, with effect from 5th January, 2026.²¹

EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to explain their general purport)***

These regulations combine and consolidate provisions formerly contained in seven separate regulations, and reflect the simplification that has come about as a consequence of the changes introduced to ensure gender equality in the operation of the Social Insurance Law.

They provide for the manner in which claims are to be made and the time and manner of payments for all benefits, and detailed rules and provisions for all benefits (except those for industrial injuries, which are dealt with in a separate regulation) including reduced rates of benefit where contribution conditions are not fully met, disqualifications, the calculation of benefit entitlement, the appointment of persons to receive benefit for those unable to act and payments after death.

1 These words were 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.

2 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

****** 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.

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.

3 Regulation 26 was previously amended by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

4 The entry corresponding to the heading to Part IV in the Arrangement of Sections was substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(a), with effect from 1st January, 2017.

5 The entry corresponding to the heading to Section 3 in the Arrangement of Sections was substituted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(b), with effect from 1st January, 2017.

6 The heading relating to regulation 41 in the Arrangement of Sections was amended by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(c), with effect from 1st January, 2017.

7 The entry corresponding to regulation 41A in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(d), with effect from 1st January, 2017.

8 The entry corresponding to regulation 42A in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(e), with effect from 1st January, 2017.

9 The entry corresponding to regulation 42B in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(e), with effect from 1st January, 2017.

10 The entry corresponding to regulation 42C in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(e), with effect from 1st January, 2017.

11 The entry corresponding to regulation 42D in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(e), with effect from 1st January, 2017.

12 The heading relating to regulation 43 in the Arrangement of Sections was amended by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(f), with effect from 1st January, 2017.

13 The entry corresponding to regulation 43A in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(g), with effect from 1st January, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2024, regulation 2, Schedule, with effect from 6th January, 2025.

14 The entry corresponding to regulation 43B in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(g), with effect from 1st January, 2017.

15 The entry corresponding to regulation 43C in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(g), with effect from 1st January, 2017.

16 The entry corresponding to regulation 43D in the Arrangement of Sections was inserted by the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2016, regulation 2(g), with effect from 1st January, 2017.

17 Previously, the First Schedule was substituted by the: Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 2, First Schedule, with effect from 3rd January, 2005; Social Insurance (Benefits) (Amendment) Regulations, 2005, regulation 1, with effect from 2nd January, 2006; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006, regulation 1, Schedule, with effect from 1st January, 2007; Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 2, Schedule, with effect from 7th January, 2008; Social Insurance (Benefits) (Amendment) Regulations, 2008, regulation 1, Schedule, with effect from 5th January, 2009; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, regulation 1, Schedule, with effect from 4th January, 2010; Social Insurance (Benefits) (Amendment) Regulations, 2010, regulation 1, Schedule, with effect from 3rd January, 2011; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011, regulation 1, Schedule, with effect from 2nd January, 2012; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012, regulation 1, Schedule, with effect from 7th January, 2013; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013, regulation 1, Schedule, with effect from 6th January, 2014; Social Insurance (Benefits) (Amendment) Regulations, 2014, regulation 1, Schedule, with effect from 5th January, 2015; Social Insurance (Benefits) (Amendment) Regulations, 2015, regulation 1, Schedule, with effect from 4th January, 2016; the Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016, regulation 1, Schedule, with effect from 2nd January, 2017; and amended by Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2005, regulation 1, with effect from 2nd January, 2005; Social Insurance (Miscellaneous Amendments) (Incapacity Benefit) Regulations, 2017, regulation 1(d), with effect from 20th September, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 3, Schedule, with effect from 1st January, 2018; Social Insurance (Benefits) (Amendment) Regulations, 2018, regulation 3, Schedule, with effect from 7th January, 2019; Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 2, Schedule, with effect from 6th January, 2020; Social Insurance (Benefits) (Amendment) Regulations, 2020, regulation 2, Schedule, with effect from 4th January, 2021; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 2, Schedule, with effect from 3rd January, 2022; Social Insurance (Benefits) (Amendment) Regulations, 2022, regulation 2, Schedule, with effect from 2nd January, 2023; Social Insurance (Benefits) (Amendment) Regulations, 2023, regulation 2, Schedule, with effect from 1st January, 2024.

18 Previously, the Second Schedule was substituted by the: Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 2, Second Schedule, with effect from 3rd January, 2005; Social Insurance (Benefits) (Amendment) Regulations, 2005, regulation 1, with effect from 2nd January, 2006; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006, regulation 1, Schedule, with effect from 1st January, 2007; Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 2, Schedule, with effect from 7th January, 2008; Social Insurance (Benefits) (Amendment) Regulations, 2008, regulation 1, Schedule, with effect from 5th January, 2009; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, regulation 1, Schedule, with effect from 4th January, 2010; Social Insurance (Benefits) (Amendment) Regulations, 2010, regulation 1, Schedule, with effect from 3rd January, 2011; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011, regulation 1, Schedule, with effect from 2nd January, 2012; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012, regulation 1, Schedule, with effect from 7th January, 2013; Social Insurance (Benefits) (Amendment No. 2) Regulations,

2013, regulation 1, Schedule, with effect from 6th January, 2014; Social Insurance (Benefits) (Amendment) Regulations, 2014, regulation 1, Schedule, with effect from 5th January, 2015; Social Insurance (Benefits) (Amendment) Regulations, 2015, regulation 1, Schedule, with effect from 4th January, 2016; e Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016, regulation 1, Schedule, with effect from 2nd January, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 3, Schedule, with effect from 1st January, 2018; Social Insurance (Benefits) (Amendment) Regulations, 2018, regulation 3, Schedule, with effect from 7th January, 2019; Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 2, Schedule, with effect from 6th January, 2020; Social Insurance (Benefits) (Amendment) Regulations, 2020, regulation 2, Schedule, with effect from 4th January, 2021; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 2, Schedule, with effect from 3rd January, 2022; Social Insurance (Benefits) (Amendment) Regulations, 2022, regulation 2, Schedule, with effect from 2nd January, 2023; Social Insurance (Benefits) (Amendment) Regulations, 2023, regulation 2, Schedule, with effect from 1st January, 2024; Social Insurance (Benefits) (Amendment) Regulations, 2024, regulation 2, Schedule, with effect from 6th January, 2025.

19 Previously, the Third Schedule was substituted by the: Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 2, Third Schedule, with effect from 3rd January, 2005; Social Insurance (Benefits) (Amendment) Regulations, 2005, regulation 1, with effect from 2nd January, 2006; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006, regulation 1, Schedule, with effect from 1st January, 2007; Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 2, Schedule, with effect from 7th January, 2008; Social Insurance (Benefits) (Amendment) Regulations, 2008, regulation 1, Schedule, with effect from 5th January, 2009; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, regulation 1, Schedule, with effect from 4th January, 2010; Social Insurance (Benefits) (Amendment) Regulations, 2010, regulation 1, Schedule, with effect from 3rd January, 2011; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011, regulation 1, Schedule, with effect from 2nd January, 2012; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012, regulation 1, Schedule, with effect from 7th January, 2013; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013, regulation 1, Schedule, with effect from 6th January, 2014; Social Insurance (Benefits) (Amendment) Regulations, 2014, regulation 1, Schedule, with effect from 5th January, 2015; Social Insurance (Benefits) (Amendment) Regulations, 2015, regulation 1, Schedule, with effect from 4th January, 2016; Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016, regulation 1, Schedule, with effect from 2nd January, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 3, Schedule, with effect from 1st January, 2018; Social Insurance (Benefits) (Amendment) Regulations, 2018, regulation 3, Schedule, with effect from 7th January, 2019; Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 3, Schedule, with effect from 6th January, 2020; Social Insurance (Benefits) (Amendment) Regulations, 2020, regulation 2, Schedule, with effect from 4th January, 2021; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 2, Schedule, with effect from 3rd January, 2022; Social Insurance (Benefits) (Amendment) Regulations, 2022, regulation 2, Schedule, with effect from 2nd January, 2023; Social Insurance (Benefits) (Amendment) Regulations, 2023, regulation 2, Schedule, with effect from 1st January, 2024; Social Insurance (Benefits) (Amendment) Regulations, 2024, regulation 2, Schedule, with effect from 6th January, 2025.

20 Previously, the Fourth Schedule was substituted by the: Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 2, Fourth Schedule, with effect from 3rd

January, 2005; Social Insurance (Benefits) (Amendment) Regulations, 2005, regulation 1, with effect from 2nd January, 2006; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006, regulation 1, Schedule, with effect from 1st January, 2007; Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 2, Schedule, with effect from 7th January, 2008; Social Insurance (Benefits) (Amendment) Regulations, 2008, regulation 1, Schedule, with effect from 5th January, 2009; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, regulation 1, Schedule, with effect from 4th January, 2010; Social Insurance (Benefits) (Amendment) Regulations, 2010, regulation 1, Schedule, with effect from 3rd January, 2011; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011, regulation 1, Schedule, with effect from 2nd January, 2012; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012, regulation 1, Schedule, with effect from 7th January, 2013; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013, regulation 1, Schedule, with effect from 6th January, 2014; Social Insurance (Benefits) (Amendment) Regulations, 2014, regulation 1, Schedule, with effect from 5th January, 2015; Social Insurance (Benefits) (Amendment) Regulations, 2015, regulation 1, Schedule, with effect from 4th January, 2016; Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016, regulation 1, Schedule, with effect from 2nd January, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 3, Schedule, with effect from 1st January, 2018; Social Insurance (Benefits) (Amendment) Regulations, 2018, regulation 3, Schedule, with effect from 7th January, 2019; Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 3, Schedule, with effect from 6th January, 2020; Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021, section 2(a), with effect from 1st March, 2021; Social Insurance (Benefits) (Amendment) Regulations, 2020, regulation 2, Schedule, with effect from 4th January, 2021; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 2, Schedule, with effect from 3rd January, 2022; Social Insurance (Benefits) (Amendment) Regulations, 2022, regulation 2, Schedule, with effect from 2nd January, 2023; Social Insurance (Benefits) (Amendment) Regulations, 2023, regulation 2, Schedule, with effect from 1st January, 2024; Social Insurance (Benefits) (Amendment) Regulations, 2024, regulation 2, Schedule, with effect from 6th January, 2025.

21 Previously, the Fifth Schedule was substituted by the: Social Insurance (Benefits) (Amendment) Regulations, 2004, regulation 2, Fifth Schedule, with effect from 3rd January, 2005; Social Insurance (Benefits) (Amendment) Regulations, 2005, regulation 1, with effect from 2nd January, 2006; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2006, regulation 1, Schedule, with effect from 1st January, 2007; Social Insurance (Benefits) (Amendment) Regulations, 2007, regulation 2, Schedule, with effect from 7th January, 2008; Social Insurance (Benefits) (Amendment) Regulations, 2008, regulation 1, Schedule, with effect from 5th January, 2009; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, regulation 1, Schedule, with effect from 4th January, 2010; Social Insurance (Benefits) (Amendment) Regulations, 2010, regulation 1, Schedule, with effect from 3rd January, 2011; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2011, regulation 1, Schedule, with effect from 2nd January, 2012; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2012, regulation 1, Schedule, with effect from 7th January, 2013; Social Insurance (Benefits) (Amendment No. 2) Regulations, 2013, regulation 1, Schedule, with effect from 6th January, 2014; Social Insurance (Benefits) (Amendment) Regulations, 2014, regulation 1, Schedule, with effect from 5th January, 2015; Social Insurance (Benefits) (Amendment) Regulations, 2015, regulation 1, Schedule, with effect from 4th January, 2016; Social Insurance (Benefits) (Amendment) (No. 3) Regulations, 2016, regulation 1, Schedule, with effect from 2nd January, 2017; Social Insurance (Benefits) (Amendment) Regulations, 2017, regulation 3, Schedule, with effect from 1st January, 2018; Social Insurance (Benefits)

(Amendment) Regulations, 2018, regulation 3, Schedule, with effect from 7th January, 2019; Social Insurance (Benefits) (Amendment) Regulations, 2019, regulation 3, Schedule, with effect from 6th January, 2020; Social Insurance (Benefits) (Amendment) Regulations, 2020, regulation 2, Schedule, with effect from 4th January, 2021; Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021, regulation 2, Schedule, with effect from 3rd January, 2022; Social Insurance (Benefits) (Amendment) Regulations, 2022, regulation 2, Schedule, with effect from 2nd January, 2023; Social Insurance (Benefits) (Amendment) Regulations, 2023, regulation 2, Schedule, with effect from 1st January, 2024; Social Insurance (Benefits) (Amendment) Regulations, 2024, regulation 2, Schedule, with effect from 6th January, 2025.