

GUERNSEY STATUTORY INSTRUMENT

ENTITLED

The Income Support (Guernsey) Regulations, 2014 *

[CONSOLIDATED TEXT]

NOTE

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* G.S.I. No. 82 of 2014; as amended by the: Income Support (Guernsey) Law, 2017 (No. IV of 2018); Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021 (No. V of 2021); Income Support (Guernsey) (Amendment) Regulations, 2016 (G.S.I. No. 73 of 2016); Income Support (Guernsey) (Amendment) Regulations, 2018 (G.S.I. No. 29 of 2018); Income Support (Guernsey) (Amendment) Regulations, 2020 (G.S.I. No. 1 of 2020); Income Support (Guernsey) (Amendment) Regulations, 2021 (G.S.I. No. 155 of 2021); Income Support (Guernsey) (Amendment) Regulations, 2022 (G.S.I. No. 84 of 2022); Income Support (Guernsey) (Amendment) Regulations, 2024 (G.S.I. No. 68 of 2024); Income Support (Guernsey) (Amendment) Regulations, 2025 (G.S.I. No. 47 of 2025).

GUERNSEY STATUTORY INSTRUMENT

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The Income Support (Guernsey) Regulations, 2014

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(Made on 28th November, 2014.)

The [Income Support (Guernsey) Regulations, 2014]

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred on it by sections 1, 6A, 9(1) and 15B of the [Income Support (Guernsey) Law, 1971]^a and all other powers enabling it in that behalf, hereby makes the following Regulations: –

PART I

MODIFICATIONS AND EXEMPTIONS

Persons exempt from section 1(1)(a)(i) of the Law.

1. (1) A person –
 - (a) who is under the age of 18 years, and
 - (b) who satisfies the requirements of paragraph (2),

shall be exempt from section 1(1)(a)(i) (requirement to be over the age of 18 years) of the Law.

- (2) The requirements are that the person –
 - (a) has attained school leaving age,
 - (b) falls within a description set out in paragraph (3), and

^a Ordres en Conseil Vol. XXIII, p. 26; Vol. XXVI, p. 292; Vol. XXXIX, p. 107; the [Income Support (Guernsey) (Amendment) Law, 2014] and [Income Support (Guernsey) (Amendment) (No. 2) Law, 2014].

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- (c) in the case of a person who falls within a description set out in subparagraph (a), (b) or (c) of paragraph (3), that person also meets –
 - (i) one of the criteria set out in the first column of the Table set out in [Schedule 1], and
 - (ii) one of the criteria set out in the second column of that Table.

- (3) The descriptions are –
 - (a) a person of no fixed abode,
 - (b) a person subject to temporary living arrangements,
 - (c) a person without dependant children who is living independently,
 - (d) a pregnant woman living alone or with parents and in respect of whom it is certified, in such manner as the Administrator may determine, that it is expected that she will be confined within a period of 12 weeks from the date of any application for [...] [income support],
 - (e) a person living alone or with a partner or parents, who is caring for a dependant child,
 - (f) a person –
 - (i) who has a severe disability,

- (ii) who is living alone or with parents, and
- (iii) who is unable to work, and
- (g) a person who, immediately before the coming into force of this regulation, was in receipt of [...] [income support].

NOTES

The title in square brackets of these Regulations was substituted by the Income Support (Guernsey) Law, 2017, section 1(1), Schedule 1, paragraph 34, with effect from 6th July, 2018.¹

The words in square brackets in the Preamble to these Regulations were substituted by the Income Support (Guernsey) Law, 2017, section 1(2), Schedule 1, paragraph 1, with effect from 6th July, 2018.

The words in the first and second pairs of square brackets in the footnote (footnote "a") to the Preamble to these Regulations were substituted by the Income Support (Guernsey) Law, 2017, section 1(2), Schedule 1, respectively paragraph 2 and paragraph 3, with effect from 6th July, 2018.

In regulation 1,

the word and figure in square brackets in paragraph (2)(c)(i) were substituted by the Income Support (Guernsey) (Amendment) Regulations, 2018, regulation 2, with effect from 6th July, 2018;

the words "income support" in square brackets, wherever occurring, and the word omitted in square brackets immediately preceding those words, wherever occurring, were, respectively, substituted and repealed by the Income Support (Guernsey) Law, 2017, section 3(a) and section 3(b), with effect from 6th July, 2018.

Persons exempt from section 1(1)(a)(ii) of the Law.

2. (1) A person –

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- (a) who falls within a description set out in paragraph (2),
and
- (b) who, with the approval of the Administrator, is engaged
in or undertaking a qualifying course of education or
training,

shall be exempt from section 1(1)(a)(ii) (requirement that no longer in full-time education) of the Law.

(2) The descriptions are –

- (a) a person who is exempt from section 1(1)(a)(i)
(requirement to be over the age of 18 years) of the Law
under regulation 1, and
- (b) a person over the age of 18 years.

(3) Unless the Administrator determines otherwise, an approval under paragraph (1)(b) given in respect of a person who falls within a description set out in paragraph (2)(a) shall remain valid –

- (a) in respect of a person who attains the age of 18 years at
any time during the period commencing upon the day
on which the school year commences and ending on the
last Friday in June in that same school year, until the
end of that last Friday in June, and
- (b) in respect of a person who attains the age of 18 years at
any time during the period commencing upon the day
after the last Friday in June in a school year and ending

upon the day immediately preceding the day upon which the school year next following begins, until the end of that last Friday in June.

Persons exempt from section 1(1)(a)(iii) and (iv) of the Law.

2A. (1) Subject to paragraphs (2) to (5), a person who makes a claim for asylum recorded by the Lieutenant Governor is exempt from –

- (a) section 1(1)(a)(iii) of the Law (requirement to be ordinarily resident in Guernsey), and
- (b) section 1(1)(a)(iv) of the Law, so far as that provision, through section 1(1)(b) of the Income Support (Residence Conditions) Ordinance, 2017, requires a relevant person (within the meaning of that Ordinance) to have resided in Guernsey or Alderney for a continuous period of five years in order to be eligible for income support under and in accordance with the Law.

(2) The exemption does not apply to the following persons –

- (a) a British citizen,
- (b) a person who would be entitled to enter the Bailiwick without leave on a journey from a place outside the common travel area under Immigration laws,
- (c) a person who holds indefinite leave to remain, and

- (d) a person who lives outside of the Islands of Guernsey, Alderney, Herm and Jethou.
- (3) The exemption ceases to apply if –
- (a) the person abandons or withdraws that person's claim for asylum,
 - (b) the person leaves the Bailiwick to live permanently abroad at any time (whether the person's claim for asylum is under consideration, rejected or accepted), or
 - (c) the person's claim for asylum is rejected by the Lieutenant Governor, and –
 - (i) the person is removed from the Bailiwick under Immigration laws, or
 - (ii) the person is deported from the Bailiwick under Immigration laws.
- (4) If the Lieutenant Governor decides to reject the person's claim for asylum and the exemption has not ceased to apply under paragraph (3), the exemption lapses on the expiry of –
- (a) the proceedings period, if no proceedings for judicial review of the decision are brought within that period, or
 - (b) three months following the day on which any proceedings for judicial review of the decision are finally determined, withdrawn or abandoned, or lapse,

unless the person's claim for asylum has been accepted by the Lieutenant Governor.

(5) Despite an exemption lapsing under paragraph (4), the Administrator may continue the exemption in respect of any person for a period of time the Administrator considers appropriate in the particular circumstances.

(6) In this regulation –

"claim for asylum", in relation to any person, means a claim that it would be contrary to the United Kingdom's obligations in respect of the Bailiwick of Guernsey under the Refugee Convention for the person to be removed from, or required to leave, the Bailiwick of Guernsey,

"common travel area" means the United Kingdom, the Bailiwick of Jersey, the Isle of Man and the Republic of Ireland,

"Immigration laws" means –

- (a) the Immigration Act 1971,
- (b) any provision of any other immigration-related Acts in force in the United Kingdom and extended to the Bailiwick, and
- (c) any other enactment relating to immigration in force in the Bailiwick,

"indefinite leave to remain" means leave to remain in the Bailiwick which is not limited as to duration under the Immigration Act 1971,

"leave" means leave to enter or remain in the Bailiwick under the Immigration Act 1971,

"leave to remain" means leave to remain under the Immigration Act 1971,

"proceedings period", in relation to a person's claim for asylum, means the period of three months following the day on which written notice is given to the person that the Lieutenant Governor has rejected that person's claim, and

"Refugee Convention" means the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 and the Protocol to the Convention.]

NOTE

Regulation 2A was inserted by the Income Support (Guernsey) (Amendment) Regulations, 2021, regulation 2, with effect from 8th December, 2021.

Persons deemed to be in full-time remunerative work for purposes of section 1(1)(b)(i) of the Law.

3. (1) A person who has not attained pensionable age ("person A"), or a relevant dependant of such a person ("the relevant dependant of person A"), is deemed to be in full-time remunerative work for the purposes of section 1(1)(b)(i) (requirement in case of person and relevant dependant, who has not attained pensionable age, to be in full-time remunerative work) of the Law if the conditions in paragraph (2) are satisfied in relation to person A, or the relevant dependant of person A, as the case may be.

(2) The conditions are that –

- (a) the person –
 - (i) is mainly responsible for the physical care of –
 - (A) a child, or
 - (B) an incapacitated person, or
 - (ii) has a physical, sensory or mental impairment, incapacity or other restriction which, in the opinion of the Administrator, following consultation with such health or social care professionals as the Administrator thinks fit, limits their capacity to undertake full-time remunerative work, and
- (b) the person is engaged in remunerative work for such number of hours per week (if any) as the Administrator considers appropriate in their particular circumstances.

(3) For the avoidance of doubt no more than one person shall be deemed to be in full-time remunerative work under paragraph (1) on the basis of care provided for the same child or incapacitated person, as the case may be.

(4) For the purposes of this regulation –

"child" means a child aged [3 years or over], who has not attained school leaving age and who is a member of the same household as person A, or the relevant dependant of person A, as the case may be, and

"an incapacitated person" means a person –

- (a) with such degree of physical, sensory or mental impairment that, in the opinion of the Administrator, they require significant care to be provided for them by another person, and
- (b) in respect of whom or whose circumstances the Administrator has not made a disqualifying determination under paragraph (5).

(5) The Administrator may make a disqualifying determination in relation to an incapacitated person where, in the opinion of the Administrator –

- (a) the care provided by person A, or the relevant dependant of person A, as the case may be, for the incapacitated person in question is minimal or unsuitable, or
- (b) it is not appropriate for person A, or the relevant dependant of person A, as the case may be, to provide the care for the incapacitated person in question.

NOTE

In regulation 3, the figure and words in square brackets in the definition of the expression "child" in paragraph (4) were substituted by the Income Support (Guernsey) (Amendment) Regulations, 2024, regulation 2, with effect from 1st September, 2024.²

Persons deemed to be in full-time remunerative work for purposes of section 1(1)(c)(i) of the Law.

4. (1) A relevant dependant of a person who has attained pensionable age, is deemed to be in full-time remunerative work for the purposes of section 1(1)(c)(i) (requirement, in case of relevant dependant of person who has attained pensionable age, to be in full-time remunerative work) of the Law, if the conditions in paragraph (2) are satisfied in relation to the relevant dependant.

(2) The conditions are that –

(a) the relevant dependant –

(i) is mainly responsible for the physical care of –

(A) a child, or

(B) an incapacitated person, or

(ii) has a physical, sensory or mental impairment, incapacity or other restriction which, in the opinion of the Administrator, following consultation with such health or social care professionals as the Administrator thinks fit, limits their capacity to undertake full-time remunerative work, and

(b) the relevant dependant is engaged in remunerative work for such number of hours per week (if any) as the Administrator considers appropriate in their particular circumstances.

(3) For the avoidance of doubt no more than one relevant dependant shall be deemed to be in full-time remunerative work under paragraph (1)

on the basis of care provided for the same child or incapacitated person, as the case may be.

(4) For the purposes of this regulation –

"child" means a child aged [3 years or over], who has not attained school leaving age and who is a member of the same household as the relevant dependant, and

"an incapacitated person" means a person –

- (a) with such degree of physical, sensory or mental impairment that, in the opinion of the Administrator, they require significant care to be provided for them by another person, and
- (b) in respect of whom or whose circumstances the Administrator has not made a disqualifying determination under paragraph (5).

(5) The Administrator may make a disqualifying determination in relation to an incapacitated person where, in the opinion of the Administrator –

- (a) the care provided by the relevant dependant for the incapacitated person in question is minimal or unsuitable, or
- (b) it is not appropriate for the relevant dependant to provide the care for the incapacitated person in question.

NOTE

In regulation 4, the figure and words in square brackets in the definition of the expression "child" in paragraph (4) were substituted by the Income Support (Guernsey) (Amendment) Regulations, 2024, regulation 3, with effect from 1st September, 2024.³

Persons deemed to be acting in compliance with work requirements for purposes of section 1(1)(b)(ii) of the Law.

5. (1) A person who has not attained pensionable age ("person A"), or a relevant dependant of such a person ("the relevant dependant of person A"), is deemed to be acting in compliance with any work requirements relating to them for the purposes of section 1(1)(b)(ii) (requirement in case of person and relevant dependant, who has not attained pensionable age, to be acting in compliance with work requirements) of the Law, if the conditions in paragraph (2) are satisfied in relation to person A, or the relevant dependant of person A, as the case may be.

(2) The conditions are –

(a) that the person –

(i) is not in, or deemed to be in, full-time remunerative work,

(ii) is not exempt from the requirement –

(A) to be in full-time remunerative work, or

(B) to be acting in compliance with work requirements relating to them, and

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(iii) is not acting in compliance with work requirements relating to them, and

(b) that the Administrator has made a determination in relation to the person that, in the circumstances of the particular case, it is appropriate that the person is deemed to be acting in compliance with any work requirements relating to them.

(3) When making a determination under paragraph (2)(b), the Administrator shall take the following matters into account, together with such other matters as the Administrator thinks fit –

(a) the degree to which the person has failed to act in compliance with work requirements relating to them,

(b) the duration of the period during which the person has failed to act in compliance with work requirements relating to them,

(c) whether the person has any dependants,

(d) the impact upon the person, and dependants of that person, of a failure to make a determination,

(e) any advice or recommendation made by a health or social care professional, or other professional person or official, with knowledge of the particular circumstances of the person in relation to whom a determination is contemplated, and

- (f) any representations made by the person, or on the person's behalf.

Persons deemed to be acting in compliance with work requirements for purposes of section 1(1)(c)(ii) of the Law.

6. (1) A relevant dependant of a person who has attained pensionable age is deemed to be acting in compliance with any work requirements relating to them for the purposes of section 1(1)(c)(ii) (requirement, in case of relevant dependant of person who has attained pensionable age, to be acting in compliance with work requirements) of the Law, if the conditions in paragraph (2) are satisfied in relation to that relevant dependant.

(2) The conditions are –

(a) that the relevant dependant –

(i) is not in, or deemed to be in, full-time remunerative work,

(ii) is not exempt from the requirement –

(A) to be in full-time remunerative work, or

(B) to be acting in compliance with work requirements relating to him, and

(iii) is not acting in compliance with work requirements relating to him, and

(b) that the Administrator has made a determination in relation to the relevant dependant that, in the

circumstances of the particular case, it is appropriate that the relevant dependant is deemed to be acting in compliance with any work requirements relating to him.

(3) When making a determination under paragraph (2)(b), the Administrator shall take the following matters into account, together with such other matters as the Administrator thinks fit –

- (a) the degree to which the relevant dependant has failed to act in compliance with work requirements relating to him,
- (b) the duration of the period during which the relevant dependant has failed to act in compliance with work requirements relating to him,
- (c) whether the claimant has any dependants other than the relevant dependant,
- (d) the impact upon the claimant, and any other dependants of the claimant, of a failure to make a determination,
- (e) any advice or recommendation made by a health or social care professional, or other professional person or official, with knowledge of the particular circumstances of the relevant dependant in relation to whom a determination is contemplated, and
- (f) any representations made by the claimant or relevant dependant, or on their behalf.

(4) For the purposes of paragraph (3), "**claimant**" means the person ("person A") to whom [...] [income support], or any part of [...] [income support], is payable because the relevant dependant is, or is deemed to be –

- (a) a person whose requirements and resources are aggregated with those of person A, or
- (b) a dependant of person A,

under section 4 of the Law.

NOTE

In regulation 6, the words "income support" in square brackets, wherever occurring, and the word omitted in square brackets immediately preceding those words, wherever occurring, were, respectively, substituted and repealed by the Income Support (Guernsey) Law, 2017, section 3(a) and section 3(b), with effect from 6th July, 2018.

PART II

FULL-TIME REMUNERATIVE WORK

Full-time remunerative work.

7. (1) For the purposes of the Law and any enactment made under the Law, the phrase "**full-time remunerative work**" shall be interpreted in accordance with this regulation.

(2) A person is engaged in full-time work if the person works for a minimum of 35 hours a week.

(3) A person who normally works for a minimum of 35 hours a

week shall be treated as being engaged in full-time work for any week, or part of a week, during which the person –

- (a) is on paid leave of absence from work, or
- (b) is absent from work for some other reason which, in the opinion of the Administrator, in the circumstances of the particular case, would justify disregarding the absence.

(4) Where a person does not work for the same number of hours each week, the person shall be treated as being engaged in full-time work if the average number of hours worked by that person in any week in question is 35 or more when calculated over any period of time not exceeding 12 months.

(5) A person is engaged in remunerative work if –

- (a) in the case of an employee, the person is remunerated at a rate that is at least equal to the minimum wage, or
- (b) in the case of a self-employed person, the person's average weekly rate of remuneration (net only of any expenses necessarily incurred) is at least equal to the minimum wage, calculated on the basis of –
 - (i) the average hours worked during a week, or
 - (ii) if the average hours worked exceed 35 a week, a 35-hour week.

(6) For the purposes of this Regulation a person's remuneration, or

a relevant dependant's remuneration, shall be calculated by reference to criteria used for the purpose of calculating the minimum wage under the Minimum Wage (Guernsey) Law, 2009^b.

PART III
MEDICAL EXPENSES

Persons prescribed under section 6A(1)(b) of the Law.

8. The following categories of person are prescribed for the purposes of section 6A(1)(b) (medical expenses payments) of the Law –

- (a) a person whose weekly income exceeds his weekly requirements, as [ascertained as if paragraph 5(2) of the First Schedule to the Income Support (Implementation) Ordinance, 1971 applies]^c –
 - (i) by less than [£80], or
 - (ii) where the Administrator thinks fit having regard to the circumstances of the particular case, by less than [£150], or such higher amount as the Administrator may determine in the circumstances of the particular case,
- (b) a person who, at any time during the period of six months immediately prior to the day upon which any claim for payment of medical expenses incurred in

^b Order in Council No. I of 2010.

^c Recueil d'Ordonnances Tome XVII, p. 139.

respect of the person is made, was a person to whom the Law applied, and

- (c) a dependant of any person who falls within the category prescribed under subparagraph (a) or (b).

NOTES

In regulation 8,

first, the words in the first pair of square brackets in paragraph (a) and, second, the symbol and figures in square brackets in paragraph (a)(i) were substituted by the Income Support (Guernsey) (Amendment) Regulations, 2025, respectively regulation 2(a) and regulation 2(b), with effect from 30th May, 2025;⁴

the symbol and figures in square brackets in paragraph (a)(ii) were substituted by the Income Support (Guernsey) (Amendment) Regulations, 2022, regulation 2(b), with effect from 22nd November, 2022.

[Prescribed condition for payment of medical expenses.]

8A. For the purposes of section 6A(2)(c) of the Law, it shall be a condition of the payment of the reasonable medical expenses of any person described in section 6A(1) of the Law that the capital resources of such person, calculated in accordance with Parts I and III of the First Schedule to the Income Support (Implementation) Ordinance, 1971, do not exceed the amount set out in the second column of the Table set out in Schedule 2 for the description of person set out in the first column of the said Table.]

NOTE

Regulation 8A was inserted by the Income Support (Guernsey) (Amendment) Regulations, 2018, regulation 3, with effect from 6th July, 2018.

Categories of medical expenses.

9. (1) Medical expenses incurred for the following consultations, treatments and items are prescribed for the purposes of section 6A(2) (medical expenses payments) of the Law –

- (a) primary care consultations and treatments provided by –
 - (i) an approved medical practitioner,
 - (ii) an approved dentist,
 - (iii) an approved nurse,
 - (iv) an approved physiotherapist,
 - (v) an approved chiropodist;
 - (vi) an approved osteopath,
 - (vii) an approved chiropractor,
 - (viii) an approved acupuncturist,
- (b) approved secondary care consultations and treatments,
- (c) consultations, eye tests and spectacles provided by an approved optician,
- (d) consultations, hearing tests and hearing aids provided by an approved hearing aid supplier,
- (e) approved contraception devices and treatments,

- (f) approved lymphoedema treatment,
 - (g) approved orthotic treatment and orthoses, and
 - (h) such other consultations, treatments and items as the Administrator may determine in the circumstances of the case.
- (2) In this regulation –
- (a) the expressions "**approved dentist**", "**approved medical practitioner**" and "**approved nurse**" have the meanings given by section 39(1) of the Health Service (Benefit) (Guernsey) Law, 1990^d, and
 - (b) in other expressions "**approved**" means approved by [the Committee] or the States [Committee for Health & Social Care].

NOTES

In regulation 9,

the words in the first pair of square brackets in paragraph (b) of paragraph (2) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2(1), Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016;

the words in the second pair of square brackets in paragraph (b) of paragraph (2) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016.

^d Ordres en Conseil Vol. XXXII, p. 192.

The functions, rights and liabilities of the Social Security Department ("the 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.

The functions, rights and liabilities of the Health and Social Services 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 Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

Amount of medical expenses.

10. The amounts of medical expenses for which payment may be made in respect of any prescribed consultation, treatment or item are –

- (a) those amounts determined from time to time by [the Committee] for the purposes of these Regulations, or
- (b) in the absence of any such determination, such amounts as the Administrator considers reasonable in the circumstances of the particular case.

NOTES

In regulation 10, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2(1), Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016.

The functions, rights and liabilities of the Social Security Department ("the 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.

PART IV

PRESCRIBED BENEFITS, ALLOWANCES AND PENSIONS

Prescribed benefits, allowances and pensions.

11. The following are prescribed for the purposes of section 9(1) of the Law –

- (a) unemployment benefit,
- (b) sickness benefit,
- (c) invalidity benefit,
- (d) ...
- (e) industrial injury benefit,
- (f) industrial disablement benefit,
- (g) bereavement allowance,
- (h) widowed parent's allowance, [...]
- (i) [States pension][,]
- [(j) maternal health allowance,

- (k) newborn care allowance, and
- (l) parental allowance.]

NOTES

In regulation 11,

first, subparagraph (d) was revoked, second, the word omitted in square brackets in subparagraph (h) was revoked, third, the punctuation in the second pair of square brackets in subparagraph (i) was substituted and, fourth, subparagraph (j), subparagraph (k) and subparagraph (l) were inserted by the Income Support (Guernsey) (Amendment) Regulations, 2016, regulation 2, respectively paragraph (a), paragraph (b), paragraph (c) and paragraph (d), with effect from 1st January, 2017;

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

PART V

GENERAL PROVISIONS

Interpretation.

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

"enactment" includes an Ordinance and subordinate legislation,

"the Law" means the [Income Support (Guernsey) Law, 1971],

"qualifying course of education or training" means a course of education or training which is approved for the purposes of these regulations by the Administrator, and

"subordinate legislation" means any regulation, rule, order, rule of

court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance,

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

(2) The Interpretation (Guernsey) Law, 1948^e applies to the interpretation of these Regulations.

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

NOTE

In regulation 12, the words in square brackets in the definition of the expression "the Law" in paragraph (1) were substituted by the Income Support (Guernsey) Law, 2017, section 1(2), Schedule 1, paragraph 1, with effect from 6th July, 2018.

Extent.

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

[Citation and commencement.

14. These Regulations may be cited as the Income Support (Guernsey) Regulations, 2014 and shall come into force on the 1st December, 2014.]

^e Ordres en Conseil Vol. XIII, p. 355.

NOTE

Regulation 14 was substituted by the Income Support (Guernsey) Law, 2017, section 2, Schedule 2, paragraph 34, with effect from 6th July, 2018.⁵

Criteria for purposes of exemption from section 1(1)(a)(i) of the Law for persons under the age of 18 years who have attained school leaving age –

1. Parental support criteria	2. Other criteria
<p>Administrator is satisfied (and States [Committee for Health & Social Care] or other body confirms) that parental support is absent.</p>	<p>Person is, in opinion of States [Committee for Health & Social Care], a child at risk for purposes of Part V of the Children (Guernsey and Alderney) Law, 2008^f.</p>
<p>Administrator is satisfied that parents are unable to provide support due to changes in their own circumstances.</p>	<p>Person is, in opinion of States [Committee for Health & Social Care], a child in need for purposes of Part V of the Children (Guernsey and Alderney) Law, 2008.</p>
<p>Administrator is satisfied that the person is part of an independent family unit.</p>	<p>Person is leaving care with the assistance of States [Committee for Health & Social Care].</p>
<p>Administrator is satisfied that parents are unwilling to provide support, due to a child returning to education who has formerly supported himself through employment.</p>	<p>[The Committee], the States [Committee for Health & Social Care] and the States [Committee for Education, Sport & Culture] together agree that the circumstances of the person are such that they should fall within the exemption under this regulation.</p>

NOTES

^f Order in Council No. XIV of 2009.

The Schedule was renamed "Schedule 1" by the Income Support (Guernsey) (Amendment) Regulations, 2018, regulation 4, with effect from 6th July, 2018.

In the Schedule,

the words "Committee for Health & Social Care" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016;

the words "The Committee" in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2(1), Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016;

the words "Committee for Education, Sport & Culture " in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3 and section 4, with effect from 1st May, 2016.

The functions, rights and liabilities of the Health and Social Services 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 Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

The functions, rights and liabilities of the Social Security Department ("the 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.

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

MAXIMUM CAPITAL RESOURCES FOR PURPOSES OF PAYMENT OF
MEDICAL EXPENSES

(1) Category of person	(2) Maximum capital
Single person who has not attained pensionable age	£3,500
Couple, neither of whom has attained pensionable age	£6,000
Single person or couple with one or more children	£6,000
Single person who has attained pensionable age	£6,000
Couple, one or both of whom has attained pensionable age	£8,000

NOTE

Schedule 2 was substituted by the Income Support (Guernsey) (Amendment) Regulations, 2022, regulation 3, Schedule, with effect from 6th January, 2023.⁶

EXPLANATORY NOTE

*(This note is not part of the Regulations)***

These Regulations are made under the Income Support (Guernsey) Law, 1971 ("the principal Law") as recently amended by the Income Support (Guernsey) (Amendment) Law, 2014. They make modifications to and exemptions from the provisions of the principal Law.

Regulation 1 exempts certain young persons under the age of 18 years from the requirement to be over the age of 18 years for the purposes of eligibility for income support.

Regulation 2 creates exemptions for certain individuals, who are engaged in or undertaking a qualifying course of education or training, from the requirement to be no longer in full-time education for the purposes of eligibility for income support.

Regulations 3, 4, 5 and 6 are deeming provisions which have the effect of prescribing, or providing for, the circumstances in which individuals are deemed to be in full-time remunerative work or acting in compliance with work requirements relating to them for the purposes of eligibility for income support.

Regulation 7 defines how the phrase "full-time remunerative work" is to be interpreted for the purposes of the principal Law. In summary, a person is engaged in full-time remunerative work if the person works for a minimum of 35 hours a week and remunerated at a rate that is at least equal to the minimum wage.

Regulations 8, 9 and 10 prescribe the types and amounts of medical expenses that may be paid under the principal Law.

Regulation 11 prescribes the benefits, allowances and pensions payable under the Social Insurance (Guernsey) Law, 1978 that can be abated under the principal Law, at the discretion of the Social Security Department, in respect of income support payable under the principal Law.

Regulations 12, 13 and 14 deal respectively with interpretation, extent and citation and commencement.

These Regulations come into force on the 1st day of December, 2014.

** 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. The text has, however, been updated to reflect changes made by the Income Support (Guernsey) Law, 2017.

¹ Prior to this substitution, the Regulations were titled the "Supplementary Benefit (Guernsey) Regulations, 2014".

² The figure and words in the definition of the expression "child" in paragraph (4) were previously substituted by the Income Support (Guernsey) (Amendment) Regulations, 2020, regulation 2, with effect from 10th January, 2020.

³ The figure and words in square brackets in the definition of the expression "child" in paragraph (4) were previously substituted by the Income Support (Guernsey) (Amendment) Regulations, 2020, regulation 3, with effect from 10th January, 2020.

⁴ The words in the first pair of square brackets were previously substituted by the Income Support (Guernsey) Law, 2017, section 1(2), Schedule 1, paragraph 4, with effect from 6th July, 2018; the symbol and figures in square brackets in paragraph (a)(i) were previously substituted by the: Income Support (Guernsey) (Amendment) Regulations, 2022, regulation 2(a), with effect from 22nd November, 2022; Income Support (Guernsey) (Amendment) Regulations, 2024, regulation 4, with effect from 10th July, 2024.

⁵ Prior to this substitution, the Regulations were cited as the Supplementary Benefit (Guernsey) Regulations, 2014.

⁶ Schedule 2 was originally inserted by the Income Support (Guernsey) (Amendment) Regulations, 2018, regulation 4, with effect from 6th July, 2018.