

THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE ORDINANCE, 2017

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Severe Disability Benefit and Carer's Allowance Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance amends rates of allowances under the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 (formerly known as the Attendance and Invalid Care Allowances (Guernsey) Law, 1984) with effect from 1st January, 2018.

The Severe Disability Benefit and Carer's Allowance

Ordinance, 2017

THE STATES, in pursuance of their Resolution of the ** **, 2017^a, and in exercise of the powers conferred upon them by sections 1(4), 2(3)(b) and 3 of the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984, as amended^b and all other powers enabling them in that behalf, hereby order:-

Entitlement to severe disability benefit.

1. The amount determined for the purposes of section 1(4) of the Law is £97,000.

Entitlement to carer's allowance.

2. The amount determined for the purposes of section 2(3)(b) of the Law is £97,000.

Rates of allowances.

3. (1) The weekly rate of a severe disability benefit determined for the purposes of section 3 of the Law is £103.88.

(2) The weekly rate of a carer's allowance determined for the purposes of section 3 of the Law is £84.06.

Interpretation.

4. (1) In this Ordinance the expression "**the Law**" means the Severe

^a Article ** of Billet d'État No. ** of 2017.

^b Ordres en Conseil Vol. XXVIII p. 353; amended by Ordres en Conseil Vol. XXIX, p. 198; Vol. XXXIII, p. 238; Vol. XXXIV, p. 458; Vol. XXXIX, p. 107; Vol. XLIII(1), p. 261; Order in Council No. IV of 2014; Recueil d'Ordonnances Tome XXVI, p. 177; Ordinance No. XXXIII of 2003; No. VII of 2009; No. XXX of 2013; and No. IX of 2016.

Disability Benefit and Carer's Allowance (Guernsey) Law, 1984, and expressions used in the Law shall, when used in this Ordinance, have the same meaning as they have under the Law.

(2) Unless the context requires otherwise, references in this Ordinance to an enactment are references thereto as amended, re-enacted (with or without modification), extended or applied.

(3) The Interpretation (Guernsey) Law, 1948^c shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

Repeal.

5. The Severe Disability Benefit and Carer's Allowance Ordinance, 2016^d is repealed.

Citation.

6. This Ordinance may be cited as the Severe Disability Benefit and Carer's Allowance Ordinance, 2017.

Extent.

7. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Commencement.

8. This Ordinance shall come into force on the 1st January, 2018.

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

^d Ordinance No. XL of 2016.