

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE SOCIAL INSURANCE (GUERNSEY) (AMENDMENT) LAW, 2019

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Social Insurance (Guernsey) (Amendment) Law, 2019", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

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 Law amends the Social Insurance (Guernsey) Law, 1978 in relation to eligibility for industrial injuries, the pension average period as regards the calculation of entitlement to old age pension, and the payment of death grant in respect of still-born children.

PROJET DE LOI

ENTITLED

The Social Insurance (Guernsey) (Amendment) Law, 2019

THE STATES, in pursuance of their Resolutions of the 31st July, 2015^a and the 26th September, 2018^b have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Alderney, Herm and Jethou.

Amendment of the Social Insurance Law.

1. (1) The Social Insurance (Guernsey) Law, 1978^c is amended as follows.

(2) In the proviso at the end of section 20(5) –

(a) for "death grant," substitute "death grant –",

(b) label the remaining text as paragraph (a),

^a Article XX of Billet d'État No. XIV of 2015.

^b Article VIII of Billet d'État No. XX of 2018.

^c Ordres en Conseil Vol. XXVI, p. 292; as amended by Ordres en Conseil Vol. XXXIV, p. 510; Ordinance No. IX of 2016.

(c) at the end of paragraph (a), for "." substitute ", and",
and

(d) after paragraph (a) insert –

"(b) in any other case, the relevant period shall not exceed forty-five years."

(3) In section 37, at the end of subsection (6) insert ", and any reference in this section to a child shall include a child who was still-born within the meaning of the Still-Birth (Definition) (Bailiwick of Guernsey) Law, 1998."

(4) In section 40(1), at the end of paragraph (b) of the interpretative provision in relation to "**employed person**", after "self-employed person," insert "and for these purposes, a person directed by the Administrator to participate in an employment training programme or course operated by or on behalf of, or approved by, the Committee shall be deemed to be gainfully occupied under a contract of service,".

(5) In section 40(2), at the end insert ", and may prescribe additional categories of persons to be treated for the purposes of industrial injuries benefits as employed persons".

Citation and Commencement.

2. This Law may be cited as the Social Insurance (Guernsey) (Amendment) Law, 2019, and shall come into force on the day of its registration on the records of the Island of Guernsey.