

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

MINIMUM AGE (SEA) CONVENTION, 1921 (NO. 7)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 August 2101, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

**UNEMPLOYMENT INDEMNITY (SHIPWRECK) CONVENTION, 1920
(NO. 8)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

August 2010

Direct request , CEACR 2005 / 76th Session

The Committee notes the Government's report. It would be grateful if the Government would provide with its next report information as to the impact of the adoption by the United Kingdom of the Merchant Shipping Act of 1995 on the application of the Convention in the territory of Guernsey. The Committee would also appreciate receiving statistical information with respect to the application of the Convention in practice, including information concerning the number of seafarers entitled to unemployment indemnity in case of shipwreck, the number of vessels, including small vessels engaged in maritime navigation, wrecked or otherwise lost during the period covered by the next report.

The impact of the adoption of the Merchant Shipping Act 1995, was the approval of insular legislation based on that Act. This resulted in the Merchant Shipping (Bailiwick

of Guernsey) Law, 2002 (a copy of which is attached).

The Law reproduces the provisions of the Act with modifications relevant to insular circumstances. Part III and in particular, section 36 may be relevant.

The bulk of vessels on in the registry are small pleasure vessels and fishing vessels that are owner operated. Detailed records of the number of seafarers entitled to indemnity in the case of shipwreck are not kept, however in the region of 20 are employed full-time in the commercial fishing fleet.

There have been no Guernsey registered vessels wrecked or otherwise lost since the 2002 Law came into effect in circumstances in which the provisions of the Convention would apply.

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

**MEDICAL EXAMINATION OF YOUNG PERSONS (SEA) CONVENTION,
1921 (NO.16)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

SEAMEN'S ARTICLES OF AGREEMENT CONVENTION, 1926 (NO. 22)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION

ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period from 1 April 2000 to 31 August 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provision of the:

SICKNESS INSURANCE (SEA) CONVENTION, 1936 (No.56)

(ratification registered on 30th September 1944)

As this is not a first report to the Committee, this document only refers to articles of the Convention under which changes to legislation have been made since 2000.

Article 2

Changes to Legislation

Social Insurance

Since the previous report to the Committee in 2000, the Social Insurance legislation has changed substantially in order to incorporate gender equality changes (including termination of dependency benefits) made in 2003 with effect from 2004 and changes in pension age approved in 2009 to take effect from 2020. A copy of the continuous text of the Social Insurance (Guernsey) Law, 1978 is attached to this report.

Benefit rates have been increased annually, by an amount at least equal to the local index of retail prices. The list of amending Social Insurance legislation is detailed in Appendix 1 to this report.

Health Service

There are no major changes to report in respect of the legislation and practice affecting the application of the Convention since the previous report. From January 2004, a limited list of approved prescription drugs for medical and dental practitioners was introduced, however this does not directly impact upon this Convention.

A copy of the continuous text of the Health Service (Benefit) (Guernsey) Law, 1990 is attached to this report and a list of the amending Health Service legislation is detailed in Appendix 2.

Article 3

In 2003, the States of Guernsey approved a number of changes to the social insurance scheme as a result of a major review of gender equality within the scheme. This resulted in the individualisation of personal entitlement which had previously favoured married women. Increases in benefits for adult and child dependants were abolished from the Social Insurance Law, but will remain under the Supplementary Benefit (social assistance) protection.

The increase in invalidity, sickness and industrial injury benefit which was previously payable in respect of a child dependent was removed, as well as the increase in sickness, industrial injury or unemployment benefit. These changes took effect from 1 January 2004. A full list of resolutions agreed and implemented by the States of Guernsey is attached to this report in Appendix 3.

The standard grant towards the cost of medical consultations under the Health Insurance (Benefit) (Guernsey) Law, 1990 is reviewed annually through the Social Security Department's benefit uprating report to the States of Guernsey.

In 2010, the consultation grant is £12 towards a consultation with a doctor and £6 towards a consultation with a nurse. The cost of a consultation with a doctor in a surgery is £48.85 (2010) and £36.85 with the £12 grant. The cost of a consultation with a nurse in a surgery is £27.00 (2010) and £21.00 with the £6 grant.

In 2004, the States of Guernsey approved the extension the Supplementary Benefit (Guernsey) Law, 1971 to include all persons who were formerly assisted under the Public Assistance Law, 1937. Broadly this meant that anyone who was below 60 years of age who was capable of work but who was also either partly or wholly unemployed was now eligible for social assistance under the Supplementary Benefit Law. Public Assistance was consequently repealed.

Under the Supplementary Benefit Law, the provision for the payment of medical costs for those in need is provided, subject to a means test, to:

- (a) a handicapped person
- (b) a person of school-leaving age and who is incapacitated by illness or injury,
- (c) a person who has attained pensionable age,
- (d) a person over school-leaving age who is incapable of supporting himself and is likely to remain so incapable for a prolonged period,
- (e) a person who has attained school-leaving age and who is wholly or partly maintaining a child, being a member of the same household, other than a person who is living with his spouse or cohabitee,
- (f) a woman who is pregnant 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 a supplementary benefit, other than such a woman who is living with her husband or cohabitee,
- (g) a person who has attained school-leaving age, and who is wholly or partly maintaining a child, being a member of the same household,

during such time as that person is temporarily not living with his spouse or cohabiting with his cohabitee by reason of that spouse's or cohabitee's detention in legal custody,

- (h) a person who has ceased employment to care for a child, being a member of the same household, as a result of the incapacity of his spouse or cohabitee,
- (i) a person who has ceased employment in order to care for a member of the same household, being –
 - (i) his spouse or cohabitee,
 - (ii) his son or daughter, or
 - (iii) his parent,

as a result of the incapacity of that spouse or cohabitee, son or daughter or parent,

- (j) a person who is actively seeking employment.

Direct request , CEACR 2005/76th Session

The Committee notes the information supplied by the Government in its reports. It notes with interest the Government's indication stating that the 13-week qualification period required to benefit from health insurance has been repealed and that, henceforth, any person entering the island qualifies on registration for insurance. With respect to the application of *Article 3 of the Convention*, the Committee refers to its comments made under Convention No. 24.

The Committee notes the information supplied by the Government in its reports. It notes with interest the Government's indication stating that the 13-week qualification period required to benefit from health insurance has been repealed and that, henceforth, any person entering the island qualifies on registration for insurance. With respect to the application of *Article 3 of the Convention*, the Committee refers to its comments made under Convention No. 24.

Sickness Insurance (Industry) Convention, 1927 (No. 24)

Direct request , CEACR 2005/76th Session

The Committee notes the information supplied by the Government in reply to its previous comments as well as the indications concerning the manner in which effect is given to *Article 4, paragraph 3(b), of the Convention*. It also notes with interest that persons working from home under a contract of service are henceforth eligible to subscribe to the sickness insurance scheme and wishes to draw the Government's attention to the following point.

Article 4. In reply to the Committee's previous comments, the Government's report provides information regarding the average cost of a consultation with a medical practitioner, which amounts to approximately £26; the grant for consultation with a medical practitioner being equivalent, for its part, to £12, i.e. 46 per cent of the cost of such a consultation. The Government also indicates that all consultations with primary care providers are eligible for the consultation grant, whether initial or follow-up visits for the same illness and that the payment of medical costs for those in need is provided, subject to the means test, under the Supplementary Benefit (Guernsey) Law, 1971. The Government further refers to the adoption, in 1995, of the Health Service (Specialist Medical Benefit) Ordinance, supplemented by the Health Service (Specialist Medical Benefit) Regulations of 2002, providing that all residents are entitled, subject to a minimum residence period, to receive free of charge medical, ophthalmic and limited physiotherapy care.

The Committee duly notes the information provided. In particular, the Committee notes with interest the measures taken to ensure that persons in need are granted financial assistance with respect to medical costs as well as the introduction of medical specialist benefits. It observes that while the Convention provides that insured persons may be required to pay such part of the cost of medical benefits as may be prescribed by national laws or regulations, it establishes the principle of free-of-charge medical treatment. The Committee therefore invites the Government to provide information, including statistics, on the implementation in practice of the existing financial assistance measures in order to avoid hardship for insured persons, especially in cases which may require multiple consultations with medical practitioners.

In response to the Committee's direct request, Sickness Insurance is provided under the Social Insurance (Guernsey) Law, 1978, administered by the Social Security Department (known as the Guernsey Social Security Authority before 2004). Sickness insurance is one of the benefits provided under the law, to which all employed, self-employed and non-employed persons must contribute. Following gender equality changes to the Law in 2003 (see above and Appendix 3), married women are no longer exempt from paying contributions and hence there is no longer a special health service contribution rate for married women.

The Committee is referred to the enclosed copies of the States of Guernsey Health Service Fund Accounts which are managed by the Social Security Department and provide details on the number of consultations with medical practitioners (see page 6). The Committee should note that these accounts are not separated by insured persons.

The Supplementary Benefit (Guernsey) Law, 1971 provides financial assistance for insured persons of limited financial means and their dependents as detailed above under Article 3.

Sickness and invalidity benefits are payable to all employed and self-employed persons who are incapable of all work and meet the contribution conditions, so there are no separate statistics for the workers who are the subject of this convention.

All non-employed persons under the age of 65 must pay contributions of 9.9% of their income up to annual maximum income of £79,872 (2010), but are exempt if their income is less than the lower income limit of £14,820 (2010). An income allowance of £6,290 is deducted from annual income before the percentage contribution is applied. All persons over 65 are classified as non-employed and must pay a special rate of 2.9% of income, subject to the above lower and upper limits and allowance on income. This is for specialist medical benefit and long-term care insurance.

Social Security Department
Edward T Wheadon House
Le Truchot
St Peter Port
Guernsey

September 2010

Appendix 1

Changes to Social Insurance Legislation 2000 – 2010

- Projet de Loi The Social Insurance (Guernsey) (Amendment) Law, 2006
- The Social Insurance (Benefits) Regulations, 2003
- The Social Insurance (Back to Work Benefits) Regulations, 2004
- The Social Insurance (Benefits) (Amendment) Regulations, 2004
- The Social Insurance (Benefits) (Amendment) Regulations, 2005
- The Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2005
- The Social Insurance (Benefits) (Amendment) Regulations, 2006
- The Social Insurance (Benefits) (Amendment) (No 2) Regulations, 2006
- The Social Insurance (Benefits) (Amendment) Regulations, 2007
- The Social Insurance (Benefits) (Amendment) Regulations, 2009
- The Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009
- The Social Insurance (Benefits) (Transitional) Regulations, 2004
- The Social Insurance (Benefits) (Transitional) (Amendment) Regulations, 2005
- The Social Insurance (Classification) (Amendment) Regulations, 2000
- The Social Insurance (Classification) (Amendment) Regulations, 2004
- The Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2005
- The Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2007
- The Social Insurance (Contributions) Regulations, 2000
- The Social Insurance (Contributions) (Amendment) Regulations, 2001
- The Social Insurance (Contributions) (Amendment) (No. 2) Regulations, 2001
- The Social Insurance (Contributions) (Amendment) Regulations, 2002
- The Social Insurance (Contributions) (Amendment) Regulations, 2003
- The Social Insurance (Contributions) (Amendment) Regulations, 2005
- The Social Insurance (Contributions) (Amendment) Regulations, 2006
- The Social Insurance (Contributions) (Amendment) Regulations, 2007
- The Social Insurance (Contributions) (Amendment) Regulations, 2008
- The Social Insurance (Contributions) (Amendment) Regulations, 2009
- The Social Insurance (Determination of Claims and Questions) (Amendment) Regulations, 2003
- The Social Insurance (Duties of Appointees) Regulations, 2002
- The Social Insurance (Industrial Injuries Benefits) (Amendment) Regulations, 2002

- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2000
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2001
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2002
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2003
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2004
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2007
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2008
- The Social Insurance (Rates of Contributions and Benefits, etc) Ordinance, 2009
- The Social Insurance (Rates of Contributions and Benefits, etc.) (Amendment) Ordinance, 2009

- The Social Insurance (Residence and Persons Abroad) (Guernsey) (Amendment) Regulations, 2002
- The Social Insurance (Residence and Persons Abroad) (Amendment) Regulations, 2003
- The Social Insurance (Residence and Persons Abroad) (Amendment) (Guernsey) Regulations, 2006
- The Social Insurance (Residence and Persons Abroad) (Guernsey) (Amendment) Regulations, 2009

- The Social Insurance (Reciprocal Agreement with Australia) Ordinance, 2001
- The Social Security (Reciprocal Agreement with Ireland) Ordinance, 2007
- The Social Security (Reciprocal Agreement with The Netherlands) Ordinance, 2007

Changes to Health Service Legislation 2000 – 2010

- The Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 2002
- The Health Service (Specialist Medical Benefit) (Amendment) Ordinance, 2002
- The Health Service (Alderney Hospital Benefit) (Amendment) Ordinance, 2002
- The Health Service (Alderney Hospital Benefit) (Amendment) Ordinance, 2008
- The Health Service (Alderney Hospital Benefit) (Amendment) Regulations, 2008
- The Health Service (Benefit) (Amendment) (No. 2) Ordinance, 2003
- The Health Service (Benefit) (Amendment) (No. 2) Ordinance, 2004
- The Health Service (Benefit) (Amendment) (No. 2) Ordinance, 2005
- The Health Service (Benefit) (Amendment) Ordinance, 2000
- The Health Service (Benefit) (Amendment) Ordinance, 2001
- The Health Service (Benefit) (Amendment) Ordinance, 2002
- The Health Service (Benefit) (Amendment) Ordinance, 2005
- The Health Service (Benefit) (Amendment) Ordinance, 2009
- The Health Service (Benefit) (Annual Grant) Ordinance, 2002
- The Health Service (Benefit) (Annual Grant and Amendment) Ordinance, 2007
- The Health Service (Benefit) (Guernsey) (Amendment) Law, 2002
- The Health Service (Benefit) (General) (Amendment) Regulations, 2003

- The Health Service (Benefit) (Limited Lists) Ordinance, 2004
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) Regulations, 2004
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2004
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2005
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2005
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3) Regulations, 2005
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2006
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2006
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2006
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4) Regulations, 2006
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2006
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2007
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2007
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2007

- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4) Regulations, 2007
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2007
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6) Regulations, 2007
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7) Regulations, 2008
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2009
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2009
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3) Regulations, 2009
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4) Regulations, 2009
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2009
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2010
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2) Regulations, 2010
- The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2010

- The Health Service (Benefit) (Rates of Medical Benefit) Ordinance, 2004
- The Health Service (Medical Appliances) (Amendment) (No. 2) Regulations, 2001
- The Health Service (Medical Appliances) (Amendment No. 3) Regulations, 2001
- The Health Service (Medical Appliances) (Amendment No.2) Regulations, 2002
- The Health Service (Medical Appliances) (Amendment) (No. 2) Regulations, 2005
- The Health Service (Medical Appliances) (Amendment) (No. 3) Regulations, 2005
- The Health Service (Medical Appliances) (Amendment) Regulations, 2000
- The Health Service (Medical Appliances) (Amendment) Regulations, 2001
- The Health Service (Medical Appliances) (Amendment) Regulations, 2002
- The Health Service (Medical Appliances) (Amendment) Regulations, 2003

- The Health Service (Medical Appliances) (Amendment) Regulations, 2004
- The Health Service (Medical Appliances) (Amendment) Regulations, 2005
- The Health Service (Medical Appliances) (Amendment) Regulations, 2006
- The Health Service (Medical Appliances) (Amendment) Regulations, 2007
- The Health Service (Medical Appliances) (Amendment) Regulations, 2009
- The Health Service (Ophthalmic Benefit) (Repeal) Ordinance, 2002
- The Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2007
- The Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2008
- The Health Service (Payment of Authorised Appliance Suppliers) (Amendment No. 2) Regulations, 2008
- The Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003
- The Health Service (Payment of Authorised Suppliers) Regulations, 2003
- The Health Service (Payment of Authorised Suppliers) (Amendment No. 2) Regulations, 2007
- The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2006
- The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2007
- The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2008
- The Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1999
- The Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000
- The Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2005
- The Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2009
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 1999
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2001
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2002
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2003
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment No. 2) Regulations, 2003
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2000
- The Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2004
- The Health Service (Physiotherapy Benefit) (Amendment) Ordinance, 2002
- The Health Service (Physiotherapy Benefit) (Amendment) Regulations, 2005
- The Health Service (Physiotherapy Benefit) Regulations, 2002
- The Health Service (Prescribed List) Ordinance, 2003
- The Health Service (Specialist Medical Benefit) Regulations, 2002

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF APRIL, 2003

The States resolved as follows concerning Billet d'Etat No. V
dated 28th March, 2003

**GUERNSEY SOCIAL SECURITY AUTHORITY
REVISION OF SOCIAL INSURANCE SCHEME
FOR GENDER EQUALITY**

- I. After consideration of the Report dated the 7th March, 2003, of the Guernsey Social Security Authority:-
3. That the married woman's and widow's option to pay a reduced rate of social insurance contribution, if employed, or to pay no social insurance contribution if self-employed or non-employed shall be discontinued, and that all women shall be assessed to pay at the full percentage rates from 1 January 2004.
 4. That the married woman's pension, based on her husband's contribution record, shall effectively cease to be awarded from 1 January 2004, being replaced by a pension awarded in respect of her own contribution record, enhanced, if to her advantage, by the substitution of 62% of her husband's contribution average, calculated as at 31 December 2003.
 5. That a Class 3 contribution credit shall not be awarded to widows in respect of any week after 1 January 2004.
 6. That, from 1 January 2004, a Class 3 contribution credit shall be awarded to non-employed persons who are in receipt of family allowance in respect of a child under the age of 16 and are not otherwise liable, through employment, self-employment or having sufficient un-earned income, to pay a social insurance contribution.
 7. That women who are widows or divorcees at 1 January 2004, not having remarried at that date, shall be entitled, at age 65, to have their entitlement to a pension calculated in accordance with the regulations in force at 31 December 2003.
 8. That no increase of benefit for a child shall be payable with widowed parent's allowance, the standard rate having been increased by an appropriate amount to compensate.
 9. That no increase of an old age pension shall be payable in respect of a child.
 10. That no increase of invalidity, sickness, industrial injury or unemployment benefit shall be payable in respect of a child dependant.
 11. That no increase of sickness, industrial injury or unemployment benefit shall be payable in respect of an adult dependant.
 12. That no increase of invalidity benefit shall be payable in respect of an adult dependant except for a transitional period of one year, where the claim was in payment at 31 December 2003.
 13. That, from 1 January 2014, no increase of an old age pension shall be payable in respect of a wife.

14. That survivor's grant shall be replaced with 'bereavement payment' and made payable to all widows and widowers, including pensioners, at a rate comparable with the present value of survivor's grant.
15. That widow's pension shall be replaced by a 'bereavement allowance' and made payable to a widow or widower aged between 45 and 64, inclusive, who is not entitled to a widowed parent's allowance, for a maximum period of 12 months.
16. That the right of a widow pensioner to receive a pension at the same rate as payable to her late husband, if greater than her own pension, shall be reciprocated and shall also apply to widower pensioners.
17. That the foregoing propositions shall take effect from 1 January 2004 or as soon as practicable thereafter.
18. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

**STATISTICS OF WAGES AND HOURS OF WORK CONVENTION, 1938
(NO. 63)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

CERTIFICATION OF SHIPS COOKS CONVENTION, 1946 (NO. 69)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

CERTIFICATION OF ABLE SEAMEN CONVENTION, 1946 (NO. 74)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 2 September 2008 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

**FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO
ORGANISE CONVENTION, 1948 (NO. 87)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION

ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 2 September 2008 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

**RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION,
1949 (NO. 98)**

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Observation CEACR 2008/79th Session

The Department notes the Observation which does not appear to request further information.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

United Kingdom

Guernsey

Observation, CEACR 2008/79th Session

Article 1 of the Convention. Protection against anti-union discrimination. Following its previous comments regarding the strengthening of sanctions concerning unfair dismissal, the Committee notes with **satisfaction** that the new legislation entitled "The Employment Protection (Guernsey) (Amendment) Law, 2005" foresees a six-month pay sanction award for unfair dismissal, which may be greater depending on the circumstances of the case, in law and in equity

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

SEAFARERS' IDENTITY DOCUMENTS CONVENTION, 1958 (NO. 108)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Copies of this report have been circulated to the Confederation of British Industry and the Trade Union Congress.

States of Guernsey
Raymond Falla House
La Longue Rue
St. Martin
Guernsey

2 August 2010

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 2 September 2008 to 31 August 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

EMPLOYMENT POLICY CONVENTION, 1964 (NO. 122)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

Updated information on trends in employment and unemployment is as follows;

	Employed			Unemployed	
	Male	Female	Total	Highest Month	Lowest Month
1994	16912	12616	29528	654	295
1995	17062	12836	29898	471	217
1996	17136	13100	30236	381	153
1997	17422	13386	30808	249	117
1998	17461	13561	31022	195	67
1999	17405	13748	31153	144	64
2000	17516	13831	31347	139	66
2001	16897	13471	30368	93	65
2002	16958	13730	30688	94	75
2003	17520	13855	31375	110	80
2004	17390	14046	31436	133	105
2005	17188	14166	31354	209	179
2006	17063	14093	31156	219	182
2007	17618	14591	32199	255	185
2008	17730	14822	32552	325	230
2009	17474	14749	32223	480	343

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States of Guernsey
August 2010

Article 1 of the Convention. Implementation of an active employment policy. The Committee takes note of the statistical data contained in the Government's report received in September 2008. The Committee notes a slight increase in the level of unemployment between 2004 and 2006. The highest rate of unemployment recorded in a month in 2004 was 0.4 per cent, whereas in 2006 the highest rate of unemployment was 0.7 per cent. The Committee notes from the Government's 2006 report, that it has developed work streams, programmes that are intended to stimulate economic growth and development and to make the island an attractive place in which to do business. In addition, the Government was pursuing a further work stream that is intended to assist in the delivery of an adaptable and well-trained workforce in the workplace. ***The Committee requests the Government to continue to provide such information on employment trends and the labour market measures adopted.***

Response:

The States of Guernsey is currently working against strategic plans for fiscal and economic policy, social policy and environmental policy which was last updated in 2009.

The availability of labour and training of the workforce are included throughout these policy documents and an example is set out below. This section gives an indication of the high level policies that form part of the strategic objectives of the government. The full document is attached and is also available at <http://www.gov.gg/> (links to Billet d'Etat, 2009, July, Billet d'Etat XVIII 2009 (July) & Resolutions.

4. New initiatives and training aimed at assisting people into employment/upskilling (leads C&E and Education)

The departments of Education, Commerce and Employment and Social Security are all working on a raft of initiatives to ensure that all sectors of the community can access appropriate employment or training support to find sustainable employment.

Initiatives include:-

- Welfare to work initiatives
- Adult guidance
- Expansion of vocational training and the apprenticeship scheme
- Employment assistance for young people with special needs
- CBT for people with low level mental health needs (funding for this has been estimated alongside the other mental health projects, but a joint HSSD/SSD initiative is also underway regarding the contracting of CBT services from the Guernsey Health Service Fund)
- Increased opportunities to access lifelong learning including basic skills provision
- Employment and life skills for ex-offenders
- Targeted support for those not in education, employment or training
- Financial literacy skills

INTERNATIONAL LABOUR ORGANISATION
ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

For the period 1 September 2005 to 31 July 2010, made by the States of Guernsey in accordance with Article 22 of the Constitution of the International Labour Organisation on the measures taken to give effect to the provisions of the:

LABOUR ADMINISTRATION CONVENTION, 1978 (NO. 150)

No changes have occurred in respect of the legislation and practice affecting the application of the Convention since the previous report.

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States of Guernsey
Raymond Falla House
La Longue Rue
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Guernsey

2 August 2010