

BILLET D'ÉTAT No. XIX, 2011

30th NOVEMBER 2011

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The Insurance Business (Bailiwick of Guernsey) (Amendment) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 25th March, 2010^a, and in exercise of the powers conferred on them by section 85 of the Insurance Business (Bailiwick of Guernsey) Law, 2002, as amended^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Insurance Business (Bailiwick of Guernsey) Law, 2002.

1. The Insurance Business (Bailiwick of Guernsey) Law, 2002, as amended, is further amended as follows.

2. After section 1(2) insert the following subsection -

"(2A) However, an insurer of the description set out in paragraph (c) of the definition of "recognised insurer" in Schedule 5 shall not be regarded for the purposes of this Law as carrying on, or holding himself out as carrying on, insurance business in or from within the Bailiwick by reason only of the fact that -

(a) he contacts or visits a client in the Bailiwick at the request of that client, or

(b) he effects or carries out a contract of

^a Article X of Billet d'État No. VI of 2010.

^b Order in Council No. XXI of 2002; amended by Recueil d'Ordonnances Tome XXIX, p. 406; Tome XXXIII, pp. 61 and 297 and Ordinance Nos. VIII and XXXI of 2010; G.S.I. No. 33 of 2004; No. 4 of 2008 and Nos. 15 and 83 of 2010.

insurance, other than through a licensed insurance intermediary within the meaning of the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, in consequence of such a request."

3. After section 5(c) insert the following paragraph -

"or

- (d) in the case of sections 1 and 3, and in relation to insurance of any description required to be effected and maintained by or under the third party insurance enactments, an insurer of the description set out in paragraph (c) of the definition of "recognised insurer" in Schedule 5, but only in circumstances where the insurer falls within the disregard provided by section 1(2A)."

4. In section 98(3) before the word "amended" insert "from time to time".

5. In Schedule 5 -

- (a) in paragraph (c) of the definition of "recognised insurer" the word "other" is repealed, and
- (b) after the definition of "syndicate" insert the following definition -

""third party insurance enactments" means -

- (a) the Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936,
- (b) the Road Traffic (Compulsory Third Party Insurance) (Alderney) Law, 1950,
- (c) the Steam Boilers (Insurance) Ordinance, 1952,
- (d) the Surf-Riding (Longboards) (Compulsory Third-Party Insurance) (Guernsey) Law, 1969,
- (e) the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972,
- (f) the Tractors (Sark) Law, 1974,
- (g) the Employers' Liability (Compulsory Insurance) (Guernsey) Law, 1993,
- (h) the Employers' Liability (Compulsory Insurance) (Alderney) Law, 1994,
- (i) the Firearms (Guernsey) Law, 1998,
- (j) the Firearms (Sark) Law, 2001,

- (k) any other enactment prescribed by regulations of the States Commerce and Employment Department made after consultation with the Commission; and -
 - (i) regulations made under this paragraph may amend or repeal any of the preceding paragraphs of this definition,
 - (ii) section 86(c) (regulations to be laid before the States) applies to any regulations made under this paragraph;".

Interpretation.

6. The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of this Ordinance throughout the Bailiwick.

Extent.

7. This Ordinance has effect throughout the Bailiwick.

Citation.

8. This Ordinance may be cited as the Insurance Business (Bailiwick of Guernsey) (Amendment) Ordinance, 2011.

Commencement.

9. This Ordinance shall come into force on the 30th November, 2011.

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

The Income Tax (Guernsey) (Approval of Agreements with Argentina, the Bahamas and Cayman Islands) Ordinance, 2011

THE STATES, in exercise of the powers conferred on them by section 75C of the Income Tax (Guernsey) Law, 1975, as amended^a and all other powers enabling them in that behalf, hereby order:-

Approval of Agreements.

1. The agreements providing for the obtaining and exchanging of information in relation to tax, made between the States of Guernsey and the Governments of the -

- (a) Argentine Republic, signed on the 22nd and 28th July 2011, by Guernsey and the Argentine Republic respectively,
- (b) Commonwealth of the Bahamas, signed on the 29th July 2011 and 8th August 2011, by Guernsey and the Commonwealth of the Bahamas respectively, and
- (c) Cayman Islands, signed on the 29th July 2011,

are, pursuant to section 75C of the Income Tax (Guernsey) Law, 1975, as amended, hereby specified for the purposes of that Law.

^a Ordres en Conseil Vol. XXV, p. 124; section 75C was inserted by section 5 of the Income Tax (Guernsey) (Amendment) Law, 2005 (Order in Council No. XVII of 2005).

Citation.

2. This Ordinance may be cited as the Income Tax (Guernsey) (Approval of Agreements with Argentina, the Bahamas and Cayman Islands) Ordinance, 2011.

Commencement.

3. This Ordinance shall come into force on the 30th November, 2011.

The Attendance and Invalid Care Allowances Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September, 2011^a, and in exercise of the powers conferred upon them by sections 1(4), 2(3)(b) and 3 of the Attendance and Invalid Care Allowances (Guernsey) Law, 1984, as amended^b and all other powers enabling them in that behalf, hereby order:-

Entitlement to attendance allowance.

1. The amount determined for the purposes of section 1(4) of the Law is £85,000.

Entitlement to invalid care allowance.

2. The amount determined for the purposes of section 2(3)(b) of the Law is £85,000.

Rates of allowances.

3. (1) The weekly rate of an attendance allowance determined for the purposes of section 3 of the Law is £92.12

(2) The weekly rate of an invalid care allowance determined for the purposes of section 3 of the Law is £74.48.

Interpretation.

4. (1) In this Ordinance the expression "**the Law**" means the Attendance and Invalid Care Allowances (Guernsey) Law, 1984, and expressions used in the Law shall, when used in this Ordinance, have the same meaning as they

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Ordres en Conseil Vol. XXVIII, p. 353; Vol. XXIX, p. 198; Vol. XXXIII, p. 238; Vol. XXXIV, p. 458 and Vol. XXXIX, p. 107; Orders in Council No. X of 2003 and Recueil d'Ordonnances Tome XXVI, p. 177.

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 Attendance and Invalid Care Allowances Ordinance, 2010^d is repealed.

Citation.

6. This Ordinance may be cited as the Attendance and Invalid Care Allowances Ordinance, 2011.

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 2nd January, 2012.

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

^d Ordinance No. XLV of 2010.

The Health Service (Benefit) (Amendment) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September, 2011^a, and in exercise of the powers conferred upon them by sections 13 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990 as amended^b and all other powers enabling them in that behalf, hereby order:-

Amendment of 1990 Ordinance.

1. For Schedule 1 to the Health Service (Benefit) Ordinance, 1990^c, substitute the schedule set out in the Schedule to this Ordinance.

Interpretation.

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

(2) The Interpretation (Guernsey) Law, 1948^d shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney,

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Ordres en Conseil Vol. XXXII, p. 192; Order in Council No. II of 2011; Recueil d'Ordonnances Tome XXVI, pp. 177, 483, and 495; Tome XXIX, pp. 182 and 305 and modified by Tome XXVI, pp. 484 and 491; Tome XXVII, p. 200; Tome XXVIII, p. 1; Tome XXIX, pp. 182, 196, 200, 210, 373 and 580; Tome XXXI, p. 628 and Tome XXXII, p. 628.

^c Recueil d'Ordonnances Tome XXV, pp. 191 and 310; Tome XXVI, pp. 185, 331, 447, 482 and 498; Tome XXVII, p. 114; Tome XXVIII, pp. 158 and 550; Tome XXIX, pp. 182, 305, 373, 426 and 590; Tome XXX, pp. 20 and 517; Tome XXXI, p. 628; Tome XXXII, p.628; Tome XXXIII, pp. 218 and 653.

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

Herm and Jethou.

Repeal.

3. The Health Service (Benefit) (Amendment) Ordinance, 2010^e is repealed.

Citation.

4. This Ordinance may be cited as the Health Service (Benefit) (Amendment) Ordinance, 2011.

Extent.

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

Commencement.

6. This Ordinance shall come into force on the 1st January, 2012.

^e Ordinance No. XLVII of 2010.

Section 1

SCHEDULE

"Section 2 (1)

SCHEDULE 1

PRESCRIPTION CHARGES

WITH EFFECT FROM:

PER ITEM OF
PHARMACEUTICAL
BENEFIT SUPPLIED IN
GUERNSEY:

PER ITEM OF
PHARMACEUTICAL
BENEFIT SUPPLIED IN
ALDERNEY:

1st January 2012

£3.10

£3.10".

The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September, 2011^a and in exercise of the powers conferred upon them by sections 5, 5(1A), 6, 8, 19, 48(2), 49(4), 61, 101, 101A and 116 of the Social Insurance (Guernsey) Law, 1978, as amended^b and all other powers enabling them in that behalf, hereby order:-

Percentage rates of primary and secondary Class 1 contributions.

1. For the purposes of the Law -
 - (a) the percentage rate of a primary Class 1 contribution shall be 6.0%, and
 - (b) the percentage rate of a secondary Class 1 contribution shall be 6.5%.

Upper weekly and upper monthly earnings limits for the purpose of primary and secondary Class 1 contributions.

2. For the purposes of the Law -

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Ordres en Conseil Vol. XXVI, p. 292; Vol. XXVII, pp. 238, 307 and 392; Vol. XXIX, pp. 24, 148 and 422; Vol. XXXII, p. 59; Vol. XXXIV, p. 510; Vol. XXXV(1), p. 164; Vol. XXXVI, pp. 123 and 343; Vol. XXXIX, p. 107; Vol. XL, p. 351; Vol. XLI, p. 267; Order in Council No. XXIII of 2002; No. XXIV of 2003; No. XI of 2004 and No. XVIII of 2007; Recueil d'Ordonnances Tome XXVI, p. 177; Tome XXXIII, p. 666 and the Social Insurance (Guernsey) Law (Amendment) Ordinance, 2011.

- (a) the upper weekly earnings limit shall be £2,022 and the upper monthly earnings limit shall be £8,762 for the purpose of primary Class 1 contributions.
- (b) the upper weekly earnings limit shall be £2,409 and the upper monthly earnings limit shall be £10,439 for the purpose of secondary Class 1 contributions.

Lower income limit.

3. For the purposes of the Law, the lower income limit for Class 3 contributions shall be £15,730.

Percentage rate and amount of Class 2 contributions.

4. For the purposes of the Law -

- (a) the percentage rate of a Class 2 contribution shall be, in respect of any person other than a person to whom the following paragraph of this section applies, 10.5%, and
- (b) the amount of a Class 2 contribution shall be, in respect of an overseas voluntary contributor, being a person who is not resident in Guernsey and who, satisfying prescribed conditions, is desirous of paying Class 2 contributions under the Law, £91.04 per week.

Percentage rates and amount of Class 3 contributions.

5. (1) For the purposes of the Law -

- (a) the percentage rates of a Class 3 contribution shall be -

- (i) in respect of a voluntary contributor, being a person who is not liable to pay a Class 3 contribution but, satisfying prescribed conditions, is desirous of paying contributions in accordance with section 8(2) or (4) of the Law, 5.7%,
 - (ii) in respect of a person who has attained pensionable age, 2.9%, and
 - (iii) in respect of all other persons, 9.9%, and
- (b) the amount of a Class 3 contribution shall be, in respect of an overseas voluntary contributor, being a person who is not resident in Guernsey and who, satisfying prescribed conditions, is desirous of paying Class 3 contributions under the Law, £82.36 per week.

(2) The percentage of a minimum Class 3 contribution payable in accordance with section 8(5) of the Law by a person who is normally in employed contributor's employment shall be 100%.

Amount of the Class 3 income allowance.

6. For the purposes of the Law, the amount of the Class 3 income allowance shall be £6,675.

Rates and amounts of benefits.

7. (1) For the purposes of the Law, the weekly rate of each description of benefit set out in column 1 of Part I of the first schedule to this

Ordinance shall be the rate specified in relation thereto in column 2, and the amounts by which that rate may be increased in respect of an adult dependant shall be the amount specified in column 3.

(2) For the purposes of the Law, where the extent of the disablement is assessed for the period to be taken into account as amounting to 20% or more, industrial disablement benefit shall be payable for that period at the appropriate weekly rate specified in Part II of the first schedule to this Ordinance.

(3) For the purposes of the Law, the amounts of death grant, maternity grant and bereavement payment shall be the appropriate amounts specified in relation thereto in Part III of the first schedule to this Ordinance.

Guernsey Health Service Fund Allocation and Long-term Care Insurance Fund Allocation.

8. The percentages determined in respect of the contribution year for the purposes of sections 101 (the Guernsey Health Service Fund Allocation) and 101A (the Long-term Care Insurance Fund Allocation) of the Law are those specified in columns 2 and 3 of the second schedule to this Ordinance of the aggregate amount paid in respect of each of the classes of contribution specified in column 1 of that schedule.

Interpretation.

9. (1) In this Ordinance, except where the context otherwise requires, "**the Law**" means the Social Insurance (Guernsey) Law, 1978 as amended.

(2) The Interpretation (Guernsey) Law, 1948^c, shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney,

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

Herm and Jethou.

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

Repeals.

10. The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2010^d is repealed.

Citation.

11. This Ordinance may be cited as the Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2011.

Extent.

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

Commencement.

13. (1) Section 7 of this Ordinance shall come into force on the 2nd January, 2012.

(2) All other sections of this Ordinance shall come into force on the 1st January, 2012.

^d Ordinance No. XLVIII of 2010.

FIRST SCHEDULE

RATES AND AMOUNTS OF BENEFITS

PART I

**Benefit, other than industrial disablement benefit, death grant,
maternity grant and bereavement payment**

Description of Benefit (1)	Weekly rate (2)	Increase for adult dependant (where payable) (3)
1. Industrial injury benefit	£136.99	Nil
2. Invalidity benefit	£164.64	Nil
3. Maternity allowance	£136.99	-
4. Old age pension:		
(a) payable to a woman by virtue of her husband's insurance while he is alive	£93.24	-
(b) in any other case	£186.13	£93.24

5. Sickness benefit	£136.99	Nil
6. Unemployment benefit	£136.99	Nil
7. Widowed parent's allowance	£195.72	-
8. Widow's pension/Bereavement allowance	£168.28	-

PART II

Industrial disablement benefit

Degree of disablement	Weekly rate
100%	£150.01
90%	£135.01
80%	£120.01
70%	£105.01
60%	£90.01
50%	£75.01
40%	£60.00
30%	£45.00
20%	£30.00

PART III

Death grant, maternity grant and bereavement payment

Description of grant	Amount
1. Death grant	£534
2. Maternity grant	£343
3. Bereavement payment	£1,689

SECOND SCHEDULE

GUERNSEY HEALTH SERVICE FUND ALLOCATION AND LONG-TERM
CARE INSURANCE FUND ALLOCATION

Class and sub-class of contribution (1)	Health Service Fund Allocation (2)	Long-term Care Insurance Fund Allocation (3)
Class 1 secondary contributions paid in respect of employed persons of pensionable age (6.5%)	24.62%	Nil
Class 1 primary (6.0%) and secondary (6.5%) contributions other than those referred to above	23.20%	10.40%
Class 2 contributions paid in respect of overseas voluntary contributors	Nil	Nil
Class 2 contributions other than those referred to above (10.5%)	25.71%	12.38%
Class 3 contributions paid in respect of voluntary contributors (5.7%)	Nil	Nil
Class 3 contributions paid in respect of overseas voluntary contributors	Nil	Nil
Class 3 contributions paid by persons over the age of 65 years (2.9%)	44.83%	55.17%
Class 3 contributions other than those referred to above (9.9%)	28.28%	14.14%

The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September, 2011^a, and in exercise of the powers conferred on them by sections 3(2) and 15 of the Supplementary Benefit (Guernsey) Law, 1971 as amended^b and all other powers enabling them in that behalf, hereby order:-

Amendment of Supplementary Benefit (Implementation) Ordinance, 1971.

1. For the numbered Tables set out in the appendix to the First Schedule to the Supplementary Benefit (Implementation) Ordinance, 1971, as amended^c, substitute the numbered Tables set out in the Schedule to this Ordinance.

Interpretation.

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

(2) The Interpretation (Guernsey) Law, 1948^d shall apply to the

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Ordres en Conseil Vol. XXIII, p. 26; Vol. XXVI, p. 292; Vol. XXXI, p. 278 and Vol. XXXIX, p. 107; has effect in Alderney by Recueil d'Ordonnances Tome XVII, p. 168; Tome XXIV, p. 468 and Tome XXVI, pp. 177 and 317 and as varied by Tome XXX, p. 25; Tome XXXIII, p. 610 and Ordinance No. VII of 2010.

^c Recueil d'Ordonnances Tome XVII, pp. 139 and 179; Tome XVIII, pp. 119 and 126; Tome XIX, pp. 23, 106, 216 and 280; Tome XX, pp. 81, 158, 359 and 392; Tome XXI, pp. 44, 72, 156, 283 and 452; Tome XXII, pp. 60, 185 and 537; Tome XXIII, pp. 48, 277, 314 and 453; Tome XXIV, pp. 88, 471 and 495; Tome XXV, pp. 49, 168 and 338; Tome XXVI, pp. 75, 194, 319, and 458; Tome XXVII, pp. 127 and 379; Tome XXVIII, pp. 168, 228, 255, 303, 341, 429 and 537; Tome XXIX, pp. 185, 299, 378 and 550; Tome XXX, pp. 30 and 520; Tome XXXI, p. 652; Tome XXXII, p. 640 and Tome XXXIII, pp. 233 and 644.

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

interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

Repeal.

3. The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2010^e is repealed.

Citation.

4. This Ordinance may be cited as the Supplementary Benefit (Implementation) (Amendment) Ordinance, 2011.

Extent.

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

Commencement.

6. This Ordinance shall come into force on the 6th January, 2012.

^e Ordinance No. XLVI of 2010.

SCHEDULE

"Table 1 (Paragraph 3)

Limitation of weekly benefit payable as from the week commencing
6th January 2012

<i>Community</i>	<i>Residential Home</i>	<i>Nursing Home, etc</i>	<i>Personal Allowance</i>	<i>UK Personal Allowance</i>
£450.00	£486.00	£698.00	£27.84	£46.89

Table 2 (Paragraph 5(1))

Short-term Weekly Requirements as from week commencing
6th January 2012

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" Couple ")	£185.57
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£128.87
Person who is not a householder (" Non-householder ") -	
Aged 18 years or over;	£98.14

Aged 16 years but less than 18;	£66.71
Member of a household -	
Aged 18 years or over;	£98.14
Aged 16 years but less than 18;	£83.30
Aged 12 years but less than 16;	£51.59
Aged 5 years but less than 12;	£37.45
Aged less than 5 years	£27.30

Table 3

(Paragraph 5(2))

Long-term Weekly Requirements as from week commencing

6th January 2012

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" Couple ")	£228.97
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£158.41
Person who is not a householder (" Non-householder ") -	
Aged 18 years or over;	£122.99
Aged 16 years but less than 18;	£66.71
Member of a household -	

Aged 18 years or over;	£122.99
Aged 16 years but less than 18;	£104.16
Aged 12 years but less than 16;	£64.40
Aged 5 years but less than 12;	£46.69
Aged less than 5 years	£34.44".

The Family Allowances Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September, 2011^a, and in exercise of the powers conferred upon them by sections 1 and 3 of, and paragraph 1 of the Schedule to, the Family Allowances (Guernsey) Law, 1950 as amended^b and all other powers enabling them in that behalf, hereby order:-

Amount of allowance.

1. The amount of allowance referred to in section 1(1) of the Family Allowances (Guernsey) Law, 1950, as amended ("**the Law of 1950**") in respect of each child in the family shall be at the rate of £15.40 a week.

Amount as to contribution to the cost of providing for a child.

2. The amount in respect of the contribution to the cost of providing for a child referred to in -

- (a) section 3(2) of the Law of 1950 shall be at the rate of £15.40 a week or more, and
- (b) the proviso to paragraph 1(1) of the Schedule to the Law of 1950 shall be at the rate of £15.40 a week.

Interpretation.

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

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Ordres en Conseil Vol. XIV, p. 332; Vol. XVI, p. 280; Vol. XX, p. 63; Vol. XXI, p. 34; Vol. XXIII, pp. 3 and 238; and Vol. XXXIX, p. 107. See also Recueil d'Ordonnances Tome XXI, p. 460 and Tome XXVI, p. 177.

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

Repeal.

4. The Family Allowances Ordinance, 2010^d is repealed.

Citation.

5. This Ordinance may be cited as the Family Allowances Ordinance, 2011.

Extent.

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

Commencement.

7. This Ordinance shall come into force on the 2nd January, 2012.

^d Ordinance No. XLIX of 2010.

The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2011

THE STATES, in pursuance of their Resolution of the 29th September 2011^a and in exercise of the powers conferred on them by sections 5 and 31 of the Long-term Care Insurance (Guernsey) Law, 2002 as amended^b and all other powers enabling them in that behalf, hereby order:-

Rates of benefit.

1. (1) The maximum weekly rates of care benefit shall be -
 - (a) for persons resident in a residential home -
 - (i) £391.37, or
 - (ii) where also receiving EMI care, £515.69, and
 - (b) for persons resident in a nursing home or the Guernsey Cheshire Home, £730.73.
- (2) The maximum weekly rates of respite care benefit shall be -
 - (a) for persons receiving respite care in a residential home-

^a Article XIII of Billet d'État No. XV (Vol. 1) of 2011.

^b Order in Council No. XXIII of 2002; Recueil d'Ordonnances Tome XXIX, p. 406 and Tome XXXII, p. 625.

- (i) £567.98, or
 - (ii) where also receiving EMI care, £692.30, and
- (b) for persons receiving respite care in a nursing home or the Guernsey Cheshire Home, £907.27.

Co-payment by way of contribution.

2. The weekly co-payment which a claimant shall make by way of contribution towards or for the cost of his care -

- (a) as a condition of the right to care benefit, and
- (b) which shall be taken into account for the purposes of determining the rate of care benefit,

shall be £176.61.

Interpretation.

3. (1) In this Ordinance unless the context requires otherwise -

"**EMI care**" means care which, in the opinion of the Authority, is necessary to meet the needs of a person who is assessed by the Panel as having the characteristics of an elderly and mentally infirm person,

"**nursing home**" and "**residential home**" have the meanings given by section 18(1) of the Nursing Homes and Residential Homes (Guernsey) Law, 1976^c,

"**the Law**" means the Long-term Care Insurance (Guernsey) Law, 2002, and

other words and expressions used in this Ordinance shall have the same meaning as in 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^d shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

Repeal and amendment.

4. The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2010^e is repealed.

Citation.

5. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2011.

^c Ordres en Conseil Vol. XXVI, p. 71; Vol. XXXI, p. 278 and Order in Council No. VI of 2007; Recueil d'Ordonnances Tome XXIX, p. 406.

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

^e Ordinance No. L of 2010.

Extent.

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

Commencement.

7. This Ordinance shall come into force on the 2nd January, 2012.

ORDINANCE LAID BEFORE THE STATES

**The Syria (Restrictive Measures)
(Guernsey) (Amendment) Ordinance, 2011**

THE STATES LEGISLATION SELECT COMMITTEE, in exercise of the powers conferred on the States by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994^a and on the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948^b, hereby orders:-

Amendment of Syria (Restrictive Measures) (Guernsey) Ordinance, 2011.

1. (1) The Syria (Restrictive Measures) (Guernsey) Ordinance, 2011^c ("**the Ordinance**") is amended as follows.

(2) In section 1(2) of the Ordinance, for "Article 2, 3 or 4" substitute "Article 2, 2a, 3, 3a, 3c or 4".

(3) In section 2 of the Ordinance, after paragraph (b) insert -

(ba) in Article 3a(a), for the words "the Union" substitute "Guernsey",

(bc) in Article 3b, for the words "the competent authority of the Member State in which it is established, as identified on the websites listed in Annex III" substitute "the Policy Council",.

^a Ordres en Conseil Vol. XXXV(1), p. 65.

^b Ordres en Conseil Vol. XIII, p. 288; there are amendments not material to this Ordinance.

^c Made by the States Legislation Select Committee on 16th May 2011.

Citation.

2. This Ordinance may be cited as the Syria (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2011.

Commencement.

3. This Ordinance shall come into force on the 26th September, 2011.