

# **BILLET D'ÉTAT No. XXII, 2013**

**27<sup>th</sup> NOVEMBER 2013**

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# PROJET DE LOI

ENTITLED

## **The Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013**

### ARRANGEMENT OF SECTIONS

1. Amendment of titles.
2. Amendment of citation clauses.
3. Amendment of words and phrases.
4. Amendment of Law of 1984.
5. Interpretation.
6. Citation.
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FIRST SCHEDULE: Titles of enactments.

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# PROJET DE LOI

ENTITLED

## **The Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013**

**THE STATES**, in pursuance of their Resolution of the 26<sup>th</sup> October, 2011<sup>a</sup>, 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 titles.**

1. (1) For the titles set out in the second column of the First Schedule substitute the relevant title set out in the third column.

(2) For any reference in any enactment to a title set out in the second column of the First Schedule substitute the relevant title set out in the third column.

### **Amendment of citation clauses.**

2. For the provisions of the enactments referred to in the second column of the Second Schedule substitute the relevant provision set out in the third column.

### **Amendment of words and phrases.**

3. In any enactment other than this Law -

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<sup>a</sup> Article X of Billet d'État No. XVII of 2011.

- (a) for the words or phrases -
  - (i) "attendance allowance", substitute "severe disability benefit", and
  - (ii) "invalid care allowance", substitute "carer's allowance", and
- (b) where those words or phrases are preceded by "an", delete "an".

**Amendment of Law of 1984.**

4. The Law of 1984 is amended as follows -

- (a) in section 2 -
  - (i) for paragraph (b) of subsection (1), substitute -
    - "(b) he satisfies such conditions as may be specified by the Authority under subsection (7).", and
  - (ii) in subsection (6), delete ", as gainfully employed", and
  - (iii) immediately after subsection (6), insert the following subsection -

"(7) The Authority may, by written determination, specify such conditions relating to entitlement to carer's allowance, either generally or in relation to any specific case, as it deems reasonably necessary in order to ensure that any severely disabled person, for whom the person in receipt of carer's allowance is regularly and substantially engaged in caring, receives appropriate medical, or other professional, attention and care.", and

(b) in section 12(2) –

(i) delete "or" where it appears at the end of paragraph (b),

(ii) delete the full stop, and

(iii) immediately after paragraph (c), insert the following paragraph –

"(d) refer it to the Authority in order that the Authority may consider the exercise of its powers under subsection (7) of section 2."

### **Interpretation.**

**5.** (1) In this Law –

**"enactment"** means any Law, Ordinance or subordinate legislation,

**"Law of 1984"** means the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 (formerly entitled the Attendance and

Invalid Care Allowances (Guernsey) Law, 1984<sup>b</sup>), and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

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

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

#### **Citation.**

6. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 2013.

#### **Commencement.**

7. This Law shall come into force on the day appointed by Ordinance of the States; and different dates may be appointed for different provisions and for different purposes.

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<sup>b</sup> Ordres en Conseil Vol. XXVIII, p. 353; Vol. XXXI, p. 278; Vol. XXXIII, p. 238; Vol. XXXIV, p. 458 and Vol. XLIII (1), p. 261; Recueil d'Ordonnances Tome XXVI, p. 177; Tome XXIX, p. 406 and Tome XXXIII, p. 472 and G.S.I. No. 43 of 2003.

<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

## FIRST SCHEDULE

## Section 1

## TITLES OF ENACTMENTS

	<i>Original title</i>	<i>New title</i>
1.	The Attendance and Invalid Care Allowances (Guernsey) Law, 1984	The Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984
2.	The Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1986 <sup>d</sup>	The Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1986
3.	The Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1991 <sup>e</sup>	The Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1991
4.	The Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1993 <sup>f</sup>	The Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1993
5.	The Attendance and Invalid Care Allowances (Guernsey) (Amendment) Law, 2002 <sup>g</sup>	The Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 2002
6.	The Attendance and Invalid Care Allowances (Guernsey) Law, 1984 (Commencement) Ordinance, 1985 <sup>h</sup>	The Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 (Commencement) Ordinance,

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<sup>d</sup> Ordres en Conseil Vol. XXVIII, p. 353.

<sup>e</sup> Ordres en Conseil Vol. XXXIII, p. 238.

<sup>f</sup> Ordres en Conseil Vol. XXXIV, p. 458.

<sup>g</sup> Ordres en Conseil Vol. XLIII (1), p. 261.

<sup>h</sup> Recueil d'Ordonnances Tome XXIII, p. 311.

		1985
7.	The Attendance and Invalid Care Allowances (Guernsey) Ordinance, 1986 <sup>i</sup>	The Severe Disability Benefit and Carer's Allowance (Guernsey) Ordinance, 1986
8.	The Attendance and Invalid Care Allowances (Appeals and References) (Guernsey) Order 1985 <sup>j</sup>	The Severe Disability Benefit and Carer's Allowance (Appeals and References) (Guernsey) Order, 1985
9.	The Invalid Care Allowance (Guernsey) Regulations, 1986 <sup>k</sup>	The Carer's Allowance (Guernsey) Regulations, 1986
10.	The Invalid Care Allowance (Amendment) Regulations, 1997 <sup>l</sup>	The Carer's Allowance (Amendment) Regulations, 1997
11.	The Attendance Allowance (Duties of Appointees) Regulations, 2002 <sup>m</sup>	The Severe Disability Benefit (Duties of Appointees) Regulations, 2002
12.	The Attendance Allowance (Guernsey) Regulations, 2003 <sup>n</sup>	The Severe Disability Benefit (Guernsey) Regulations, 2003

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<sup>i</sup> Recueil d'Ordonnances Tome XXIII, p. 443.

<sup>j</sup> Orders of the Royal Court No. III of 1985.

<sup>k</sup> G.S.I. No. 2 of 1986.

<sup>l</sup> G.S.I. No. 2 of 1997.

<sup>m</sup> G.S.I. No. 3 of 2002.

<sup>n</sup> G.S.I. No. 43 of 2003.



## SECOND SCHEDULE

## Section 2

## CITATION CLAUSES

	<i>Original provision</i>	<i>New provision</i>
1.	Section 27 of the Attendance and Invalid Care Allowances (Guernsey) Law, 1984.	<b>"<u>Citation.</u></b> 27. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984.".
2.	Section 2 of the Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1986.	<b>"<u>Citation.</u></b> 2. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1986.".
3.	Section 3 of the Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1986.	<b>"<u>Collective title.</u></b> 3. This Law and the principal Law may be cited as the Severe Disability Benefit and Carer's Allowance (Guernsey) Laws, 1984 and 1986.".
4.	Section 2 of the Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1991.	<b>"<u>Citation.</u></b> 2. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1991.".
5.	Section 2 of the Attendance and Invalid Care Allowances (Amendment) (Guernsey) Law, 1993.	<b>"<u>Citation.</u></b> 2. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 1993.".

6.	Section 4 of the Attendance and Invalid Care Allowances (Guernsey) (Amendment) Law, 2002.	<p><b><u>"Citation.</u></b></p> <p>"4. This Law may be cited as the Severe Disability Benefit and Carer's Allowance (Amendment) (Guernsey) Law, 2002.".</p>
7.	Section 3 of the Attendance and Invalid Care Allowances (Guernsey) Law, 1984 (Commencement) Ordinance, 1985.	<p><b><u>"Citation.</u></b></p> <p>"3. This Ordinance may be cited as the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 (Commencement) Ordinance, 1985.".</p>
8.	Section 8 of the Attendance and Invalid Care Allowances (Guernsey) Ordinance, 1986.	<p><b><u>"Citation.</u></b></p> <p>"8. This Ordinance may be cited as the Severe Disability Benefit and Carer's Allowance (Guernsey) Ordinance, 1986.".</p>
9.	Paragraph 16 of the Attendance and Invalid Care Allowances (Appeals and References) (Guernsey) Order 1985.	<p><b><u>"Citation.</u></b></p> <p>"16. This Order may be cited as the Severe Disability Benefit and Carer's Allowance (Appeals and References) (Guernsey) Order, 1985.".</p>
10.	Regulation 19 of the Invalid Care Allowance (Guernsey) Regulations, 1986.	<p><b><u>"Citation.</u></b></p> <p>"19. These Regulations may be cited as the Carer's Allowance (Guernsey) Regulations, 1986.".</p>
11.	Regulation 3 of the Invalid Care Allowance (Amendment) Regulations, 1997.	<p><b><u>"Citation.</u></b></p> <p>"3. These Regulations may be cited as the Carer's Allowance (Amendment) Regulations, 1997.".</p>

12.	Regulation 9 of the Attendance Allowance (Duties of Appointees) Regulations, 2002.	<u><b>Citation.</b></u> <b>"9.</b> These Regulations may be cited as the Severe Disability Benefit (Duties of Appointees) Regulations, 2002."
13.	Regulation 26 of the Attendance Allowance (Guernsey) Regulations, 2003.	<u><b>Citation.</b></u> <b>"26.</b> These Regulations may be cited as the Severe Disability Benefit (Guernsey) Regulations, 2003."

## The Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013

**THE STATES**, in pursuance of their Resolution of the 29<sup>th</sup> day of September, 2011<sup>a</sup>, and in exercise of the powers conferred upon them by sections 10 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990<sup>b</sup> and all other powers enabling them, hereby order:-

**Nurse prescribers may issue medical prescriptions for pharmaceutical benefits.**

1. (1) The application of section 10(2) of the Law is extended to authorise any nurse prescriber to issue medical prescriptions for the supply of pharmaceutical benefit for the purposes of the Law.

(2) Sections 11(a) and (e) of the Law apply in relation to nurse prescribers and medical prescriptions issued by nurse prescribers, as if a reference in those provisions to one or more approved medical practitioners includes a reference to one or more nurse prescribers.

(3) In this section, "**nurse prescriber**" means a person who –

(a) is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts of the new register established by the

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<sup>a</sup> Article XIII of Billet d'État No. XV of 2011.

<sup>b</sup> Ordres en Conseil Vol. XXXII, p. 192; as amended by Vol. XLIII(1), p. 246; Recueil d'Ordonnances Tome XXVI, p. 177; Tome XXIX, pp. 373 and 406; Tome XXXII, p. 628. The Law is applied, with modifications to the Island of Alderney by Recueil d'Ordonnances Tome XXV, p. 204. See also Recueil d'Ordonnances Tome XXVI, p. 484; Tome XXVII, p. 200; Tome XXVIII, p.1; Order in Council No. VII of 2008.

Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004<sup>c</sup> maintained by the Nursing and Midwifery Council,

- (b) has an annotation or entry recorded against the person's name in the register referred to in paragraph (a), signifying that that person is qualified to order drugs, medicines and appliances from the Nurse Prescribers Formulary for Community Practitioners in the current edition of the British National Formulary, and
- (c) is employed, contracted or engaged by the States Health and Social Services Department as a district nurse, or otherwise authorised by that Department to work as a district nurse.

**Consequential amendment of 2004 Ordinance.**

2. Section 1 of the Health Service (Benefit) (Limited Lists) Ordinance, 2004<sup>d</sup> is amended by substituting, for "or dentists", ", dentists or nurse prescribers (within the meaning given by section 1(3) of the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013)".

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<sup>c</sup> United Kingdom S.I. 2004 No. 1765.

<sup>d</sup> Recueil d'Ordonnances Tome XXIX, p. 441.

**Consequential amendments to 1990 Ordinance.**

3. The Health Service (Benefit) Ordinance, 1990<sup>e</sup> is amended as follows.

4. In section 5(2)(e), immediately after "approved nurse", insert "or a nurse prescriber".

5. In section 5(5)(c), for "or dentist", substitute ", dentist or nurse prescriber".

6. In section 5(5)(e), immediately after "the Law", insert ", or in the case of a nurse prescriber, that the person concerned shall cease to be authorised to issue medical prescriptions for the supply of pharmaceutical benefit for the purposes of section 10(2) of the Law,".

7. In section 5(11) –

(a) immediately after paragraph (c), insert the following paragraph –

"(ca) where the person concerned is a nurse prescriber, a person who –

(i) is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts

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<sup>e</sup> Recueil d'Ordonnances Tome XXV, p. 191; as amended by Tome XXV, p. 310; Tome XXVII, pp. 114, 247 and 378; Tome XXVIII, p. 262; Tome XXIX, p. 406; Tome XXX, p. 20; Ordinance No. VI of 2012; and Ordinance No. XXXIX of 2012.

of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 maintained by the Nursing and Midwifery Council, and

- (ii) has an annotation or entry recorded against the person's name in the register referred to in subparagraph (i), signifying that that person is qualified to order drugs, medicines and appliances from the Nurse Prescribers Formulary for Community Practitioners in the current edition of the British National Formulary, ", and

- (b) in paragraph (d), immediately after "nurse", insert "(other than a nurse prescriber)".

8. In sections 6(5) and (6), for "or dentist" in each place where it occurs, substitute ", dentist or nurse prescriber".

9. In section 6(10), including section 6(10)(b), immediately after "approval" in each place where it occurs, insert "or authorisation".

10. In section 9(1), immediately after the definition of "**the Law**", insert the following definition –

"**nurse prescriber**" has the meaning given by section 1(3) of the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013, ".

11. In Schedule II, immediately after paragraph 1, insert the following paragraph –

"1A. The Policy Council shall ensure that the Nursing Panel includes at least three persons, each of whom is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 maintained by the Nursing and Midwifery Council."

**Interpretation.**

12. (1) In this Ordinance –

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**the Law**" means the Health Service (Benefit) (Guernsey) Law, 1990, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(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<sup>f</sup> applies to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

**Extent.**

13. This Ordinance has effect in the Islands of Guernsey, Alderney, Herm and Jethou.

**Citation.**

14. This Ordinance may be cited as the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013.

**Commencement.**

15. This Ordinance shall come into force on the 1<sup>st</sup> January, 2014.

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<sup>f</sup> Ordres en Conseil Vol. XIII, p. 355.

## **The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2013**

**THE STATES**, in pursuance of their Resolution of the \*\* October, 2013<sup>a</sup>, 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<sup>b</sup> 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) £413.98, or
    - (ii) where also receiving EMI care, £545.44, and
  - (b) for persons resident in a nursing home or the Guernsey Cheshire Home, £772.87.
- (2) The maximum weekly rates of respite care benefit shall be -
  - (a) for persons receiving respite care in a residential home-

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<sup>a</sup> Article XI of Billet d'État No. XX of 2013.

<sup>b</sup> Ordres en Conseil Vol. XLII(2), p. 1230; Recueil d'Ordonnances Tome XXIX, p. 406 and Tome XXXII, p. 625.

- (i) £600.81, or
- (ii) where also receiving EMI care, £732.27, and
- (b) for persons receiving respite care in a nursing home or the Guernsey Cheshire Home, £959.70.

**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 £186.83.

**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<sup>c</sup>,

"**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<sup>d</sup> 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, 2012<sup>e</sup> is repealed.

### **Citation.**

5. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2013.

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<sup>c</sup> 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.

<sup>d</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>e</sup> Ordinance No.XL of 2012.

**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 6<sup>th</sup> January, 2014.

## **The Health Service (Benefit) (Amendment) Ordinance, 2013**

**THE STATES**, in pursuance of their Resolution of the \*\* October, 2013<sup>a</sup>, and in exercise of the powers conferred upon them by sections 13 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990 as amended<sup>b</sup> and all other powers enabling them in that behalf, hereby order:-

### **Amendment of 1990 Ordinance.**

1. For Schedule I to the Health Service (Benefit) Ordinance, 1990<sup>c</sup>, 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<sup>d</sup> shall apply to the

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<sup>a</sup> Article XI of Billet d'État No. XX of 2013.

<sup>b</sup> 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.

<sup>c</sup> 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; Ordinance No. XLVII of 2010, No. XXXIX of 2011 and Nos. VI and XXXIX of 2012.

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

**Repeal.**

3. The Health Service (Benefit) (Amendment) Ordinance, 2012<sup>e</sup> is repealed.

**Citation.**

4. This Ordinance may be cited as the Health Service (Benefit) (Amendment) Ordinance, 2013.

**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 1<sup>st</sup> January, 2014.

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<sup>d</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>e</sup> Ordinance No. XXXIX of 2012.

Section 1

## SCHEDULE

"SCHEDULE I

Section 2(1)

## PRESCRIPTION CHARGES

WITH EFFECT FROM:

PER ITEM OF  
PHARMACEUTICAL  
BENEFIT SUPPLIED IN  
GUERNSEY:PER ITEM OF  
PHARMACEUTICAL  
BENEFIT SUPPLIED IN  
ALDERNEY:1<sup>st</sup> January 2014

£3.30

£3.30".



## **The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2013**

**THE STATES**, in pursuance of their Resolution of the \*\* October, 2013<sup>a</sup>, and in exercise of the powers conferred upon them by sections 5, 5(1A), 6, 8, 17(2), 19, 48(2), 49(4), 61, 101, 101A and 116 of the Social Insurance (Guernsey) Law, 1978, as amended<sup>b</sup> 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 7.0%.

### **Upper weekly and upper monthly earnings limits for the purpose of Class 1 contributions.**

2. For the purposes of the Law -

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<sup>a</sup> Article XI of Billet d'État No. XX of 2013.

<sup>b</sup> 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; Vol. XLII(2), p. 1230 and Vol. XLIII(2), p. 813; Order in Council No. XI of 2004 and No. XVIII of 2007; Recueil d'Ordonnances Tome XXVI, p. 177; Tome XXXII, p. 631; Tome XXXIII, p. 666 and Ordinance No. XXXVIII of 2012.

- (a) the upper weekly earnings limit for primary and secondary Class 1 contributions shall be £2,547, and
- (b) the upper monthly earnings limit for primary and secondary Class 1 contributions shall be £11,037.

**Lower income limit.**

3. For the purposes of the Law, the lower income limit for Class 3 contributions shall be £16,640.

**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, £96.30 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(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, £87.11 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 £7,059.

**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.

**Variation of the Law as to the States' grant.**

9. In section 17(1) of the Law, for "fifteen per centum" substitute "fourteen per centum".

**Interpretation.**

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

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup>, shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

(3) 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.

### **Repeals.**

11. The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2012<sup>d</sup> is repealed.

### **Citation.**

12. This Ordinance may be cited as the Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2013.

### **Extent.**

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

### **Commencement.**

14. (1) Section 7 of this Ordinance shall come into force on the 6<sup>th</sup> January, 2014.

(2) All other sections of this Ordinance shall come into force on the 1<sup>st</sup> January, 2014.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>d</sup> Ordinance No. XXXVII of 2012

## 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	£144.90	Nil
2. Invalidity benefit	£174.16	Nil
3. Maternity allowance	£144.90	-
4. Old age pension:		
(a) payable to a woman by virtue of her husband's insurance while he is alive	£98.63	-
(b) in any other case	£196.90	£98.63
5. Sickness benefit	£144.90	Nil

6. Unemployment benefit	£144.90	Nil
7. Widowed parent's allowance	£207.05	-
8. Widow's pension/Bereavement allowance	£178.03	-

## PART II

**Industrial disablement benefit**

Degree of disablement	Weekly rate
100%	£158.67
90%	£142.80
80%	£126.94
70%	£111.07
60%	£ 95.20
50%	£ 79.34
40%	£ 63.47
30%	£ 47.60
20%	£ 31.73

## PART III

**Death grant, maternity grant and bereavement payment**

Description of grant	Amount
1. Death grant	£565
2. Maternity grant	£362
3. Bereavement payment	£1,787



## SECOND SCHEDULE

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

<b>Class and sub-class of contribution</b> (1)	<b>Health Service Fund Allocation</b> (2)	<b>Long-term Care Insurance Fund Allocation</b> (3)
Class 1 secondary contributions paid in respect of employed persons of pensionable age (7.0%)	22.86%	Nil
Class 1 primary (6.0%) and secondary (7.0%) contributions other than those referred to above	22.31%	10.00%
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 Attendance and Invalid Care Allowances Ordinance, 2013**

**THE STATES**, in pursuance of their Resolution of the \*\* October, 2013<sup>a</sup>, 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<sup>b</sup> 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 £90,000.

### **Entitlement to invalid care allowance.**

2. The amount determined for the purposes of section 2(3)(b) of the Law is £90,000.

### **Rates of allowances.**

3. (1) The weekly rate of an attendance allowance determined for the purposes of section 3 of the Law is £96.95

(2) The weekly rate of an invalid care allowance determined for the purposes of section 3 of the Law is £78.40.

### **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

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<sup>a</sup> Article XI of Billet d'État No. XX of 2013.

<sup>b</sup> Ordres en Conseil Vol. XXVIII, p. 353; Vol. XXIX, p. 198; Vol. XXXIII, p. 238; Vol. XXXIV, p. 458; Vol. XXXIX, p. 107 and Vol. XLIII(1), p. 261; 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<sup>c</sup> 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, 2012<sup>d</sup> is repealed.

### **Citation.**

6. This Ordinance may be cited as the Attendance and Invalid Care Allowances Ordinance, 2013.

### **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 6<sup>th</sup> January, 2014.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>d</sup> Ordinance No. XLIII of 2012.

## **The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2013**

**THE STATES**, in pursuance of their Resolution of the \*\* October, 2013<sup>a</sup>, and in exercise of the powers conferred on them by sections 3(2) and 15 of the Supplementary Benefit (Guernsey) Law, 1971 as amended<sup>b</sup> and all other powers enabling them in that behalf, hereby order:-

### **Amendment of the First Schedule to the Supplementary Benefit (Implementation) Ordinance, 1971.**

1. The First Schedule to the Supplementary Benefit (Implementation) Ordinance, 1971<sup>c</sup> is amended as follows -

- (a) in paragraph 6(2), immediately after the words "outgoings incurred", insert ": provided that both the expressions **"rent"** and **"net rent"** exclude rent payable by a householder in occupation of a dwelling inscribed in Part A of the Housing Register maintained by the States Housing Department under the Housing (Control of Occupation) (Guernsey) Law, 1994",

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<sup>a</sup> Article XI of Billet d'État No. XX of 2013.

<sup>b</sup> 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 XXXIII, p. 649 and Ordinance No. VII of 2010.

<sup>c</sup> 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; Ordinance Nos. XXVI and XLI of 2012.

- (b) in paragraph 11, immediately after subparagraph (g), insert the following subparagraphs -

"(h) any sum payable under the terms and conditions of the employment initiative operated by the Authority and known as the "Back to work bonus", and

(i) any compensation payment made under the ex-gratia payment scheme administered by the Skipton Fund Limited for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme's provisions.",

- (c) in paragraph 18 -

(i) delete "deliberately" from the heading,

(ii) delete the comma immediately after "entitled", and

(iii) for the words "for the purpose of securing a supplementary benefit or increasing", substitute "and the effect of the deprivation, neglect, waiver or abandonment, as the case may be, is to secure a supplementary benefit or increase", and

- (d) for the numbered Tables set out in the appendix, substitute the numbered Tables set out in the Schedule to this Ordinance.

### **Interpretation.**

2. (1) 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.

(2) The Interpretation (Guernsey) Law, 1948<sup>d</sup> shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

### **Repeal.**

3. Section 2(c) of the Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2012<sup>e</sup> is repealed.

### **Citation.**

4. This Ordinance may be cited as the Supplementary Benefit (Implementation) (Amendment) Ordinance, 2013.

### **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 10<sup>th</sup> January, 2014.

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<sup>d</sup> Ordres en Conseil Vol. XIII, p.355.

<sup>e</sup> Ordinance No. XLI of 2012.

## SCHEDULE

"Table 1

(Paragraph 3)

Limitation of weekly benefit payable as from the week commencing  
10<sup>th</sup> January 2014

<i>Community</i>	<i>Residential Home</i>	<i>Nursing Home, etc</i>	<i>Personal Allowance</i>	<i>UK Personal Allowance</i>
£500.00	£512.00	£735.00	£29.30	£49.36

Table 2

(Paragraph 5(1))

Short-term Weekly Requirements as from week commencing

10<sup>th</sup> January 2014

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" <b>Couple</b> ")	£195.33
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" <b>Single householder</b> ")	£135.65
Person who is not a householder (" <b>Non-householder</b> ") -	
Aged 18 years or over;	£103.27

Aged 16 years but less than 18;	£70.26
Member of a household -	
Aged 18 years or over;	£103.27
Aged 16 years but less than 18;	£87.69
Aged 12 years but less than 16;	£54.32
Aged 5 years but less than 12;	£39.45
Aged less than 5 years	£28.73

Table 3

(Paragraph 5(2))

Long-term Weekly Requirements as from week commencing

10<sup>th</sup> January 2014

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" <b>Couple</b> ")	£241.00
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" <b>Single householder</b> ")	£166.74
Person who is not a householder (" <b>Non-householder</b> ") -	
Aged 18 years or over;	£129.43
Aged 16 years but less than 18;	£70.26
Member of a household -	
Aged 18 years or over;	£129.43



Aged 16 years but less than 18;	£109.63
Aged 12 years but less than 16;	£67.83
Aged 5 years but less than 12;	£49.17
Aged less than 5 years	£36.24"

