

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**THE LONG-TERM CARE INSURANCE (GUERNSEY) (RATES) ORDINANCE, 2018**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

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

**EXPLANATORY MEMORANDUM**

This Ordinance amends rates of long-term benefit and the weekly payment which a claimant must make, towards the cost of the claimant's care, under the Long-term Care Insurance (Guernsey) Law, 2002, with effect from 1st January, 2019.



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

## **Ordinance, 2018**

**THE STATES**, in pursuance of their Resolution of the \*\* October 2018<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<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) £455.21, or
    - (ii) where also receiving EMI care, £599.83, and
  - (b) for persons resident in a nursing home or the Guernsey Cheshire Home, £849.94.
- (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 IX of Billet d'État No. XXIII of 2018.

<sup>b</sup> Order in Council No. XXIII of 2002; amended by No. IV of 2014; Ordinance No. XXXIII of 2003; Ordinance No. XLII of 2007.

- (i) £660.66, or
- (ii) where also receiving EMI care, £805.28, and
- (b) for persons receiving respite care in a nursing home or the Guernsey Cheshire Home, £1,055.39.

**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 that claimant's 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 £205.45.

**Interpretation.**

3. In this Ordinance, unless the context requires otherwise -

"**EMI care**" means care which, in the opinion of the Administrator, 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, and

"**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>.

**Repeal.**

4. The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2017<sup>d</sup> is repealed.

**Citation.**

5. This Ordinance may be cited as the Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2018.

**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 1<sup>st</sup> January, 2019.

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<sup>c</sup> Ordres en Conseil Vol. XXVI, p. 71; amended by Ordres en Conseil Vol. XXXI, p. 278; Order in Council No. VI of 2007; Ordinance No. XXXIII of 2003; and Ordinance No. IX of 2016.

<sup>d</sup> Ordinance No. XXXV of 2017.

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**COMMITTEE *FOR* EMPLOYMENT & SOCIAL SECURITY**

SOCIAL SECURITY ORDINANCES

The President  
Policy & Resources Committee  
Sir Charles Frossard House  
La Charroterie  
St Peter Port  
GY1 1FH

8<sup>th</sup> October 2018

Dear Sir

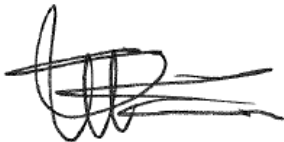
**Preferred date for consideration by the States of Deliberation**

In accordance with Rule 4(2) of the Rules of Procedure of the States of Deliberation and their Committees, the Committee *for* Employment & Social Security requests that the following Ordinances be considered at the States' meeting to be held on 28<sup>th</sup> November 2018:

- Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2018
- Health Service (Benefit) (Amendment) Ordinance, 2018
- Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2018
- Severe Disability Benefit and Carer's Allowance Ordinance, 2018
- Family Allowances Ordinance, 2018
- Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2018

The Committee requests that the Ordinances, listed above, be considered at the earliest opportunity, to ensure that the benefit and contribution rates for 2019 can be applied from 1<sup>st</sup> January 2019.

Yours faithfully



Shane Langlois  
Vice President

Michelle Le Clerc  
President

Matthew Fallaize, John Gollop, Emilie Yerby

Mike Brown, Andrew Le Lievre  
Non-States Members