

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE INCOME SUPPORT (IMPLEMENTATION) (AMENDMENT) (NO. 2) ORDINANCE,
2022**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2022", and to direct that the same shall have effect as an Ordinance of the States.

EXPLANATORY MEMORANDUM

This Ordinance makes amendments to the First Schedule to the Income Support (Implementation) Ordinance, 1971 which sets out how income support is calculated.

The Ordinance removes the limit of weekly income support payable for a person living in the community and also make amendments consequential upon this (see sections 2, 3, 5 and 6). It also increases that limit for the remaining categories of persons including those residing in residential and nursing homes by 7% in line with the annual rate of inflation (RPIX) for the year ending 30th June, 2022 (the annual rate of inflation).

The Ordinance amends the short term and long-term requirement rates on which the calculation of income support is based, related rent allowances added in calculating a claimant's requirements and the level of personal allowances for people in residential homes who are in receipt of income support (sections 4, 11 and the First Schedule). The requirement rates are based on the Minimum Income Standard adjusted figures proposed in the Policy Letter uplifted by 7% in line with the annual rate of inflation.

The Income Support (Implementation) (Amendment)

(No. 2) Ordinance, 2022

THE STATES, in pursuance of their Resolutions of the 3rd November, 2022^a, and in exercise of the powers conferred on them by sections 3(2) and (4), 15 and 15B of the Income Support (Guernsey) Law, 1971^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of Ordinance.

1. The First Schedule (including its Appendix) to the Income Support (Implementation) Ordinance, 1971^c is amended as follows.

2. In the heading to paragraph 3 (limitation on amount of income support payable), at the end add "for certain persons".

3. In paragraph 3 (limitation on amount of income support payable for certain persons) -

(a) in subparagraph (1), after "of a person" insert "described in subparagraph (2)",

(b) in subparagraph (2) -

^a Article II of Billet d'État No. XIX of 2022.

^b Ordres en Conseil Vol. XXIII, p. 26. This enactment has been amended.

^c Recueil d'Ordonnances Tome XVII, p. 139. This enactment has been amended.

- (i) delete item (a),
- (ii) in item (b)(ii), for "second and fourth" substitute "first and third",
- (iii) in item (c)(ii) for "third and fourth" substitute "second and third", and
- (iv) in item (d), for "fifth" substitute "fourth".

4. In paragraph 6 (rent) , in subparagraphs (1)(b) and (2A)(a), for "£84.50" substitute "£86.00".

5. In paragraph 7(1)(a) (persons in hospital, nursing home or residential home), for "fourth" substitute "third".

6. In paragraph 7A (persons in hospital or care home in the UK), for "fifth" substitute "fourth".

7. In paragraph 15(1) (earnings), for "£35" substitute "£40".

8. In the heading to paragraph 16 (relating to disregard of certain payments) and in paragraph 16 , for "£20" substitute "£40".

9. In the heading to paragraph 17 (relating to disregard of other income) and in paragraph 17(1), for "£10" substitute "£20".

10. In paragraph 17(2) (relating to disregards under paragraphs 16 and 17), for each reference to "£20" substitute "£40".

11. For Tables 1 to 4 set out in the Appendix to the First Schedule, substitute

the numbered Tables 1 to 4 set out in the First Schedule to this Ordinance.

12. For Table 6 set out in the Appendix to the First Schedule, substitute the numbered Table 6 set out in the Second Schedule to this Ordinance.

Extent.

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

Repeal.

14. The Income Support (Implementation) (Amendment) Ordinance, 2018^d and the Income Support (Implementation) (Amendment) Ordinance, 2022^e are repealed.

Citation.

15. This Ordinance may be cited as the Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2022.

Commencement.

16. This Ordinance shall come into force on the 6th January, 2023.

^d Ordinance No. XIII of 2018.

^e Ordinance No. ** of 2022.

FIRST SCHEDULE

Section 11

"Table 1

(Paragraph 3)

Limitation of weekly benefit payable for certain persons as from the week commencing 6th January, 2023

<i>Residential home</i>	<i>Nursing Home, etc</i>	<i>Personal Allowance</i>	<i>UK Personal Allowance</i>
£640.00	£920.00	£43.78	£61.89

Table 2

(Paragraph 5(1) and (2))

Short-term Weekly Requirements as from week commencing

6th January, 2023

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" Couple ")	£242.80
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£145.55
Person who is not a householder (" Non-householder ") -	£111.09
Member of a household -	
Aged 11 years or over;	£106.57
Aged 5 years or over but less than 11;	£83.41
Aged less than 5 years	£68.39

Table 3

(Paragraph 5(2) and 2(A))

Long-term Weekly Requirements as from week commencing

6th January, 2023

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" Couple ")	£345.50
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£207.80
Person who is not a householder (" Non-householder ") -	£158.22
Member of a household -	
Aged 11 years or over;	£121.38
Aged 5 years or over but less than 11;	£92.34
Aged less than 5 years	£80.61

Table 4

(Paragraph 6(4))

Maximum Rent Allowances as from week commencing

6th January, 2023

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" Couple ") with no child dependants	£256.14
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ") with no child dependants	£256.14
Couple or Single householder with one child dependant	£297.53
Couple or Single householder with two child dependants	£378.79
Couple or Single householder with 3 or more child dependants	£463.04
Person living in shared accommodation	£198.30".

SECOND SCHEDULE

Section 12

"Table 6

(Paragraph 13)

Capital allowances to be wholly disregarded as from week commencing

6th January, 2023

<i>Description</i>	<i>Amount</i>
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ") with no child dependants	£15,000
Married couple or other persons falling within paragraph 2(1) (" Couple ") with no child dependants	£18,000
Couple or single householder with one child dependant	£20,000
Couple or single householder with two child dependants	£25,000
Couple or single householder with three or more child dependants	£27,000".