

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

**THE INCOME SUPPORT (IMPLEMENTATION) (AMENDMENT) (NO. 2) ORDINANCE,  
2024**

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, 2024" and to direct that the same shall have effect as an Ordinance of the States.

**EXPLANATORY MEMORANDUM**

This Ordinance amends the Income Support (Implementation) Ordinance, 1971 to substitute Tables 1 to 4 in the Appendix to the First Schedule to the 1971 Ordinance. It also amends paragraph 6 of that First Schedule relating to rent and paragraph 15 relating to earnings, and makes minor amendments to paragraphs 3, 7 and 7A that are consequential on the insertion of a new column in Table 1 relating to persons in receipt of EMI care in residential homes – that is, care necessary to meet the needs of an elderly and mentally infirm person.

The effect of the amendments is to amend 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. It also increases the limit of weekly income support payable for persons in residential and nursing homes and introduces a new category of persons for this purpose, that is, persons in residential homes receiving EMI care, and provides that the weekly earnings of a person in receipt of carer's allowance shall be taken to be the person's net weekly earnings reduced by £60 (increased from £50 – this is known as the carer's allowance disregard).

Most rates, allowances and limits are increased by 4.5% in line with the annual rate of inflation (RPIX) for the year ending 30<sup>th</sup> June, 2024, the exceptions being the carer's allowance disregard and maximum rent allowances.

The amendments are made with effect from 5<sup>th</sup> January, 2024.



# **The Income Support (Implementation) (Amendment)**

## **(No. 2) Ordinance, 2024**

THE STATES, in pursuance of their Resolutions of the \*\* November 2024<sup>a</sup>, 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<sup>b</sup>, 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<sup>c</sup> is amended as follows.

2. In paragraph 3 (limitation on amount of income support payable for certain persons), in subparagraph (2)(b)(ii) for "first and third" substitute "first and fourth", and after subparagraph (2)(b) insert –

"(ba) of a person who is residing in a residential home and receiving EMI care shall be –

(i) where that person is entitled to benefit, or would be so entitled if he made a claim under, the Long-term Care Insurance (Guernsey) Law, 2002, the amount of requirements specified in

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<sup>a</sup> Article II of Billet d'État No. XIX of 2024.

<sup>b</sup> Ordres en Conseil Vol. XXIII, p. 26. This enactment has been amended.

<sup>c</sup> Recueil d'Ordonnances Tome XVII, p. 139. This enactment has been amended.

paragraph 7(1), or

- (ii) where that person is not entitled to benefit, for reason other than failure to make a claim under, the Long-term Care Insurance (Guernsey) Law, 2002, the sum of the amounts specified in the second and fourth columns of Table 1,".

3. In subparagraph (2)(c)(ii) of paragraph 3, for "second and third" substitute "third and fourth", and

4. In subparagraph (2)(d) of paragraph 3, for "fourth" substitute "fifth".

5. At the end of paragraph 3, insert –

"(5) In Table 1, "**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 Needs Assessment Panel established under the Long-term Care Insurance (Guernsey) Law, 2002 as having the characteristics of an elderly and mentally infirm person."

6. In paragraph 6 (rent), in subparagraphs (1)(b) and (2A)(a), for "£92.00" substitute "£96.00".

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

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

9. In paragraph 15 (earnings), in subparagraph (1A), for "£50" substitute "£60.00".

10. 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 Schedule to this Ordinance.

**Extent.**

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

**Repeal.**

12. The Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2023<sup>d</sup> is repealed.

**Citation.**

13. This Ordinance may be cited as the Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2024.

**Commencement.**

14. This Ordinance shall come into force on the 3<sup>rd</sup> January, 2025.

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<sup>d</sup> Ordinance No. XXXV of 2023.

SCHEDULE

Section 3

"Table 1

(Paragraph 3)

Limitation of weekly benefit payable for certain persons as from the week  
commencing 3<sup>rd</sup> January, 2025

<i>Residential home</i>	<i>Residential home, receiving EMI care</i>	<i>Nursing Home, etc</i>	<i>Personal Allowance</i>	<i>UK Personal Allowance</i>
£1,028.00	£1,223.00	£1,540.00	£48.86	£69.07

Table 2

(Paragraph 5(1) and (2))

Short-term Weekly Requirements as from week commencing

3<sup>rd</sup> January, 2025

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" <b>Couple</b> ")	£270.98
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" <b>Single householder</b> ")	£162.45
Person who is not a householder (" <b>Non-householder</b> ") -	£123.98
Member of a household -	
Aged 11 years or over	£118.94
Aged 5 years or over but less than 11	£93.09
Aged less than 5 years	£76.33

Table 3

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

Long-term Weekly Requirements as from week commencing

3<sup>rd</sup> January, 2025

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" <b>Couple</b> ")	£385.59
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" <b>Single householder</b> ")	£231.92
Person who is not a householder (" <b>Non-householder</b> ") -	£176.58
Member of a household -	
Aged 11 years or over	£135.46
Aged 5 years or over but less than 11	£103.06
Aged less than 5 years	£89.96

Table 4

(Paragraph 6(4))

Maximum Rent Allowances as from week commencing  
3<sup>rd</sup> January, 2025

<i>Description</i>	<i>Amount</i>
Married couple or other persons falling within paragraph 2(1) (" <b>Couple</b> ") with no child dependants	£300.92
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" <b>Single householder</b> ") with no child dependants	£300.92
Couple or Single householder with one child dependant	£349.54
Couple or Single householder with two child dependants	£445.01
Couple or Single householder with three or more child dependants	£543.98
Person living in shared accommodation	£232.96".