



Jersey

SOCIAL SECURITY (AMENDMENT OF LAW No. 5) (JERSEY) REGULATIONS 2013

Arrangement

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Made

19th March 2013

Coming into force

26th March 2013

THE STATES, in pursuance of Articles 50 and 51 of the Social Security (Jersey) Law 1974¹, have made the following Regulations –

1 Interpretation

In these Regulations a reference to an Article, Schedule or Part of a Schedule by number only is a reference to the Article, Schedule or Part of a Schedule of that number in the Social Security (Jersey) Law 1974².

2 Article 1 amended

In Article 1(1) for the definition “standard rate of benefit” there shall be substituted the following definition –

“ ‘standard rate of benefit’ –

- (a) for the purposes of the old age pension, has the meaning given in Part 1A of Schedule 1;
- (b) for the purposes of any other benefit, has the meaning given in Article 13(2).”.

3 Article 12 amended

In Article 12, after paragraph (e) there shall be inserted the following paragraph –

“(ea) 2013 old age pension adjustment;”.

4 Article 13 amended

In Article 13 –

- (a) for paragraph (1)(a) there shall be substituted the following sub-paragraph –

- “(a) the weekly rates of benefits and the amounts of any single payment benefits (apart from long term incapacity allowance and insolvency benefit) are the amounts set out in Schedule 1.”;
- (b) in paragraph (2) after the words “for the purposes of this Law” there shall be inserted the words “(except for the purposes of the old age pension)”.

5 Article 14 amended

In Article 14(1) for the words “(other than insolvency benefit)” there shall be substituted the words “(other than insolvency benefit or the 2013 old age pension adjustment)”.

6 Article 25A inserted

After Article 25 there shall be inserted the following Article –

“25A 2013 old age pension adjustment

- (1) A person shall be entitled to the 2013 old age pension adjustment if –
- (a) on the prescribed date, the person is eligible for an old age pension or reduced old age pension; and
 - (b) in accordance with the Law and any Order made under it, has applied for and, in the case of a reduced old age pension, elected to take, such pension.
- (2) The Minister shall by Order prescribe –
- (a) a date for the purposes of paragraph (1)(a); and
 - (b) an amount for the purposes of paragraph 3 of Part 2 of Schedule 1.”.

7 Schedule 1 amended

- (1) In Part 1 of Schedule 1, paragraphs 8, 8A and 9 shall be deleted.
- (2) After Part 1 of Schedule 1 there shall be inserted the following Part –

“PART 1A – RATES OF OLD AGE PENSION

1 Interpretation of Part 1A

- (1) For the purposes of this Part of this Schedule –
- ‘standard rate’ shall be construed in accordance with paragraph 2;
 - ‘RPI (Pensioners)’ means the Jersey Retail Prices Index (Pensioners) produced by the States of Jersey Statistics Unit.
- (2) For the purposes of this Part of this Schedule –

- (a) a reference to the RPI (Pensioners) for a year or to the Jersey Index of Earnings for a year is a reference to that index after the percentage increase or decrease in the index for the year has been applied; and
- (b) the percentage increase or decrease in the RPI (Pensioners) or the Jersey Index of Earnings for a year is the percentage increase or decrease in that index during the 12 months commencing July of the preceding year.

2 Standard rate

- (1) The standard rate for the period beginning 7 days after the date prescribed for the purposes of Article 25A(1)(a) and ending with 30th September 2013 shall be £189.84.
- (2) The standard rate shall be recalculated on 1st October 2013 and on each anniversary of that date, in accordance with the following provisions of this paragraph.
- (3) If, for a year, the RPI (Pensioners) increases and the Jersey Index of Earnings either does not increase or increases by a percentage that is less than the percentage increase in the RPI (Pensioners), the standard rate shall be increased by the same percentage as the percentage increase in the RPI (Pensioners) for the year.
- (4) Subject to sub-paragraph (5) if, for a year –
 - (a) the RPI (Pensioners) increases but the increase is by a percentage that is less than the percentage increase in the Jersey Index of Earnings;
 - (b) the RPI (Pensioners) stays the same but the Jersey Index of Earnings increases; or
 - (c) the RPI (Pensioners) decreases and the Jersey Index of Earnings for the year increases or remains the same,the standard rate shall be adjusted by the percentage change that is the arithmetic mean of the percentage change in the RPI (Pensioners) for the year and the percentage change in the Jersey Index of Earnings for the year.
- (5) If, for a year, the application of the rule in sub-paragraph (4) would result in the Pension Index for the year being less than the Jersey Index of Earnings for the year, the standard rate shall instead be increased by the percentage required to increase the Pension Index for the year so as to equal the Jersey Index of Earnings for the year.
- (6) For the purposes of sub-paragraph (5) –
 - (a) the Pension Index for 2012 is 275.1;
 - (b) the Pension Index for each subsequent year is the amount that is the Pension Index for the preceding year increased by the same percentage as the percentage increase (if any) in the standard rate on 1st October in that subsequent year.

- (7) If, for a year, there is no increase in either the RPI (Pensioners) or the Jersey Index of Earnings, the standard rate shall remain unchanged.

3 Rates of old age pension

- (1) The weekly rate for the old age pension is the standard rate.
- (2) The weekly rate for a reduced old age pension taken in accordance with Article 25(1A) is the rate of old age pension payable to the person, reduced by 0.58% for each month from the month in which the person becomes entitled to receive the reduced old age pension until the month in which the person attains pensionable age (both months inclusive).
- (3) The weekly rate payable for an old age pension where the pension is payable to a woman by virtue of her husband's insurance, and the woman's husband is alive, is 66% of the rate of old age pension payable to her husband."
- (3) For the heading to Part 2 of Schedule 1 there shall be substituted the heading "PART 2 – AMOUNTS OF SINGLE PAYMENT BENEFITS".
- (4) In Part 2 of Schedule 1, after paragraph 2 there shall be added the following paragraph –

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| “3. 2013 old age pension adjustment | A lump sum that is the relevant percentage of the prescribed amount – where the relevant percentage is the percentage of the old age pension that, on the date prescribed for the purposes of Article 25A(1)(a), the person is, in accordance with this Law and any Order made under it, eligible to receive.”. |
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8 Citation and commencement

These Regulations may be cited as the Social Security (Amendment of Law No. 5) (Jersey) Regulations 2013 and shall come into force 7 days after they are made.

M.N. DE LA HAYE

Greffier of the States

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- ¹ *chapter 26.900*
² *chapter 26.900*