



Jersey

R&O – 76/2004

**SOCIAL SECURITY (GENERAL BENEFIT)
(AMENDMENT No. 2) (JERSEY) ORDER 2004**

Arrangement

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Jersey

SOCIAL SECURITY (GENERAL BENEFIT) (AMENDMENT No. 2) (JERSEY) ORDER 2004

Made

21st July 2004

Coming into force

1st October 2004

THE EMPLOYMENT AND SOCIAL SECURITY COMMITTEE, in pursuance of Articles 14, 27, 29 and 51 of the Social Security (Jersey) Law 1974,¹ orders as follows –

1 Interpretation

In this Order, “principal Order” means the Social Security (General Benefit) (Jersey) Order 1975.²

2 Article 2 amended

In Article 2 of the principal Order, after the words “survivor’s benefit” in both places where they appear there shall be inserted the words “, incapacity pension”.

3 New Article 5 substituted for Articles 5, 6 and 7

For Articles 5, 6 and 7 of the principal Order there shall be substituted the following Article –

“5 Increase of benefit for dependants

- (1) For the purposes of paragraph (1) of Article 27 of the Law³ (which paragraph relates to increases of incapacity benefit and maternity allowance to beneficiaries) –
 - (a) a child of the family who has not attained the age of five years is a prescribed category of person being cared for;
 - (b) the other parent of the child (that is to say the parent who is not the beneficiary) is a prescribed category of carer;

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- (c) the prescribed period or periods during which benefit may be increased, in respect of any one child to whom paragraph (2) refers, is five years in the aggregate; and
 - (d) benefit may be increased if but only if the circumstances in paragraph (2) apply.

(2) The circumstances to which paragraph (1) refers are –

- (a) the parent who is not the beneficiary must be for the time being excepted, under an application made under Article 13 of the Social Security (Contributions) (Jersey) Order 1975,⁴ from liability to pay a contribution under the Law;
- (b) the child in respect of whom the application under that Article of that Order was granted must be the first or second child of the family; and
- (c) the beneficiary and the other parent must reside with each other in Jersey, and be ordinarily resident in Jersey.”.

4 Article 8 revoked

Article 8 of the principal Order shall be revoked.

5 Article 9 amended

In Article 9 of the principal Order, for the words “adult dependant” there shall be substituted the word “dependant”.

6 Article 10 amended

In Article 10(3) of the principal Order, the words “accident benefit,” shall be deleted.

7 Article 12 amended

In Article 12 of the principal Order –

- (a) in paragraph (3), for the words “sickness benefit” in both places where they occur there shall be substituted the words “short term incapacity allowance”;
 - (b) in paragraph (4), for the words “sickness benefit” in both places where they occur there shall be substituted the words “short term incapacity allowance”;
 - (c) in paragraph (4), for the words “sub-paragraph (1)(a) of Article 2 of the Social Security (Incapacity Benefit) (Jersey) Order, 1974⁵” there shall be substituted the words “paragraph (1) of Article 2 of the Social Security (Incapacity Benefits) (Jersey) Order 2004⁶”;
 - (d) in paragraph (7), the words “accident benefit,” in the first place where they appear shall be deleted;
 - (e) in sub-paragraph (b) of the proviso to paragraph (7), the words “accident benefit,” shall be deleted.
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8 Citation and commencement

This Order may be cited as the Social Security (General Benefit) (Amendment No. 2) (Jersey) Order 2004 and shall come into force on 1st October 2004.

M.N. DE LA HAYE

Greffier of the States.

¹ *Recueil des Lois, Volume 1973-1974, pages 329, 338, 340 and 356 and Volume 2000, pages 877 and 886.*

² *Nos. 6149, 7556 and 68/2001.*

³ *Recueil des Lois, Volume 1973-1974, page 338 and Volume 2000, page 886.*

⁴ *Nos. 6108 and 63/2001.*

⁵ *Nos. 6079 and 7556.*

⁶ *No. 87/2004.*