



Jersey

INCOME SUPPORT (GENERAL PROVISIONS) (AMENDMENT No. 12) (JERSEY) ORDER 2013

Arrangement

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INCOME SUPPORT (GENERAL PROVISIONS) (AMENDMENT No. 12) (JERSEY) ORDER 2013

Made

11th October 2013

Coming into force

in accordance with Article 8

THE MINISTER FOR SOCIAL SECURITY, in pursuance of Articles 9(1) and 18 of the Income Support (Jersey) Law 2007¹, orders as follows –

1 Interpretation

In this Order “principal Order” means the Income Support (General Provisions) (Jersey) Order 2008².

2 Article 1 amended

In Article 1(1) of the principal Order after the definition “1974 Order” there shall be inserted the following definition –

“‘2007 Regulations’ means the Income Support (Jersey) Regulations 2007³.”

3 Heading to Part 6 amended

In the heading to Part 6 of the principal Order the words “AND DECISIONS” shall be deleted.

4 Article A12 inserted

At the beginning of Part 6 of the principal Order there shall be inserted the following Article –

“A12 Interpretation of Part 6

In this Part ‘determination’ means –

- (a) a decision under Article 3(2)(b) of the Law;
- (b) a decision under Article 11 of the Law;
- (c) a determination under Article 12 of the Law;

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- (d) a determination under Article 12(1) or (1A) of this Order.”.

5 Article 12 amended

In Article 12 of the principal Order –

- (a) after paragraph (1) there shall be inserted the following paragraph –
- “(1A) A determining officer shall also determine whether –
- (a) for the purposes of Regulation 5 of the 2007 Regulations, a person has ceased remunerative work without good cause and, if the person has ceased such work without good cause, the commencement date for the sanction period imposed by that Regulation;
 - (b) to warn a person, in accordance with Regulation 5A of the 2007 Regulations;
 - (c) a person has, as described in Regulation 5B of the 2007 Regulations, breached a warning.”;
- (b) in paragraph (2) –
- (i) for the words beginning “Where required under Article 13 –” and ending “shall be redetermined” there shall be substituted the words “Where required under Article 13 a determination shall be redetermined”,
 - (ii) the words “or decision” shall be deleted.

6 Article 13 amended

In Article 13 of the principal Order –

- (a) in paragraph (1), for the words “any determination that is made in respect of the household under Article 12(1) of this Order or Article 12 of the Law” there shall be substituted the words “a determination that is made in respect of the household”;
- (b) for paragraphs (3) to (5) there shall be substituted the following paragraphs –
- “(3) A requirement under paragraph (1) in respect of a determination under Article 12(1A) must be made within 7 days of receiving notice of the first determining officer’s determination.
- (4) Any other requirement under paragraph (1) must be made within 21 days of receiving notice of the first determining officer’s determination.”.

7 Article 13A amended

In Article 13A of the principal Order –

- (a) in paragraph (1) –
- (i) the words “under Article 12(1) of this Order or Article 12 of the Law or a decision under Article 11 of the Law” shall be deleted,

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- (ii) in sub-paragraph (a) the words “or decision” shall be deleted;
 - (b) in paragraph (3)(a) and (b) the word “, decision” shall be deleted;
 - (c) after paragraph (4) there shall be inserted the following paragraph –
 - “(4A) In the case of a determination under Article 12(1A), a notice under this Article must also explain –
 - (a) the effect of the determination;
 - (b) the period for which the effect of the determination remains in force; and
 - (c) the consequences of a failure, by the person to whom the notice relates, to comply with Regulation 4 of the 2007 Regulations whilst the effect of the determination remains in force.”.
 - (d) for paragraph (5) there shall be substituted the following paragraph –
 - “(5) A notice of a determination or redetermination –
 - (a) may be sent by post; and
 - (b) shall be treated as duly sent if sent to the person’s usual or last known address.”.

8 Citation and commencement

This Order may be cited as the Income Support (General Provisions) (Amendment No. 12) (Jersey) Order 2013 and shall come into force on the same day as the Income Support (Miscellaneous Provisions) (Jersey) Regulations 2013.

SENATOR F. DU H. LE GRESLEY

Minister for Social Security

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- ¹ *chapter 26.550*
² *chapter 26.550.20*
³ *chapter 26.550.30*