



Jersey

LONG-TERM CARE (BENEFITS) (AMENDMENT) (JERSEY) ORDER 2014

Arrangement

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Made

Coming into force

THE MINISTER FOR SOCIAL SECURITY, in pursuance of Articles 3, 4 and 16 of the Long-Term Care (Jersey) Law 2012, orders as follows –

1 Interpretation

In this Order “principal Order” means the Long-Term Care (Benefits) (Jersey) Order 2014.

2 Article 1 amended

In Article 1 of the principal Order in the definition “care home” after the word “approved” there shall be inserted the word “care”.

3 Article 2 amended

In Article 2(4)(b)(ii)(B) of the principal Order after the words “his or her principal residence” there shall be inserted the words “, or has retained a legal right to enjoyment of the property such as receipt of rental income,”.

4 Article 6 amended

In Article 6(2) of the principal Order –

- (a) in sub-paragraph (f) for the amount “£249.71” there shall be substituted the amount “£254.94”;
- (b) in sub-paragraph (g) for the amount “£374.57” there shall be substituted the amount “£382.41”;
- (c) in sub-paragraph (h) for the amount “£124.86” there shall be substituted the amount “£127.47”;
- (d) after sub-paragraph (k) there shall be added the following sub-paragraph –

“(1) the weekly amount of any payment to which the person’s household is entitled under Article 4 of the Income Support (Transitional Provisions) (Jersey) Order 2008 in circumstances where Article 6 does not apply by virtue of Article 7 of that Order.”.

5 Article 8 amended

In Article 8 of the principal Order for columns 3 and 4 of the table there shall be substituted the following columns –

“3	4
weekly cost for standard care in a care home	weekly cost for standard care in a group home
£353.15	£601.86
£539.07	£601.86
£779.24	£601.86
£979.86	£601.86”

6 Article 9 amended

In Article 9 of the principal Order –

- (a) in the opening words after the words “person shall receive a long-term care benefit in the form of a” there shall be inserted the word “weekly”;
- (b) for the amount “£300” there shall be substituted the amount “£312.76”;
- (c) for the amount “£32.66” there shall be substituted the amount “£34.09”.

7 Article 10 amended

In Article 10 of the principal Order –

- (a) in paragraphs (1) and (2)(a) for the amount “£50,000” there shall be substituted the amount “£52,120”;
- (b) in paragraph (2)(b) for the amount “£75,000” there shall be substituted the amount “£78,180”.

8 Article 12 amended

In Article 12 of the principal Order –

- (a) in paragraph (2)(b) for the amount “£300” there shall be substituted the amount “£312.76”;
- (b) in paragraph (5)(c) for the amount “£300” there shall be substituted the amount “£312.76”.

9 Article 12A inserted

After Article 12 there shall be inserted the following Article –

“12A Circumstances where benefits are reduced**(1) In this Article –**

‘claimant’ means a person receiving a benefit in the form of a grant or loan under any of Articles 9, 11 and 12 who for any reason –

- (a) is temporarily absent from an approved home in which the claimant has been receiving long-term care; or
- (b) temporarily does not receive the approved care package in respect of which the claimant is entitled to benefits;

‘period of absence’ refers to the period that a claimant is temporarily absent from an approved home or temporarily does not receive the approved care package, as the case may be;

‘week’ includes part of a week;

‘weekly costs’ means the costs referred to in Article 9(b) and, where applicable Articles 9(c) (disregarding the amount for incidental expenses) and 9(d).

- (2) A benefit is not reduced in respect of a period of absence that does not exceed 2 weeks.
- (3) In respect of a period of absence that exceeds 2 weeks and is not more than 6 weeks, the benefit which would be payable under this Order were it not for the period of absence shall be reduced in accordance with paragraph (4) for the third week of the period of absence and for each subsequent week up to and including the sixth week of the period of absence.
- (4) For the purposes of paragraph (3), the amount of benefit shall be calculated and paid as if each of the weekly costs chargeable to the claimant were reduced by 10% (whether or not such costs were, in fact, reduced).
- (5) In respect of a period of absence that is more than 6 weeks, the benefit which would be payable under this Order were it not for the period of absence shall be reduced by 100% for the seventh week and each subsequent week of the period of absence.”.

10 Citation and commencement

This Order may be cited as the Long-Term Care (Benefits) (Amendment) (Jersey) Order 2014 and shall come into force on the same date that Parts 3 and 4 of the Long-Term Care (Jersey) Law 2012 come into force.

Signed.....

Date.....

Minister for Social Security

