P.2026/89

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE BENEFIT OFFENCES (AMENDMENT) AND EMPLOYMENT OF IMMIGRANTS (REPEAL) (GUERNSEY) LAW, 2026

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Benefit Offences (Amendment) and Employment of Immigrants (Repeal) (Guernsey) Law, 2026", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.

EXPLANATORY MEMORANDUM

This Law amends a number of enactments to increase the maximum penalty for a wide variety of benefit offences. Those offences that are currently summary only also become triable either way. The enactments being amended are detailed below.

- Section 9 of the Family Allowances (Guernsey) Law, 1950 is amended so that the maximum penalty for the offence of obtaining or receiving payment of family allowance wrongfully is increased from three months imprisonment to seven years' imprisonment and from a level 4 fine to an unlimited fine.

- Section 24 of the Income Support (Guernsey) Law, 1971 is amended so that the maximum penalty for the false statement offences under that Law (for example to obtain income support) is increased from six months' imprisonment to seven years' imprisonment, and from a level 3 fine to an unlimited fine.

- Section 104(2) of the Social Insurance (Guernsey) Law, 1978 is amended so that offences involving misuse of insurance cards or stamps or knowingly providing false information in connection with the Law become triable either way (due to the deletion of the word "summary") and the maximum penalty for such offences is increased from three months' imprisonment to seven years' imprisonment, and from a level 5 fine to an unlimited fine.

- Section 19(1) of the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984 is amended so that the offence of knowingly making a false statement or producing false information under that Law (for example to obtain an allowance) becomes triable either way (due to the deletion of the

word "summary") and the maximum penalty for such offences is increased from three months' imprisonment to seven years' imprisonment and from a level 4 fine to an unlimited fine.

- Section 28(1) of the Long-term Care Insurance (Guernsey) Law, 2002 is amended so that the offence of knowingly making a false statement or producing false information under that Law (for example to obtain benefits) becomes triable either way (due to the deletion of the word "summary") and the maximum penalty for such an offence is increased from three month's imprisonment to seven years' imprisonment and from a level 5 fine to an unlimited fine.

The Employment of Immigrants (Control) (Guernsey) Law, 1974 is also repealed in its entirety.

PROJET DE LOI

ENTITLED

The Benefit Offences (Amendment) and Employment of Immigrants (Repeal) (Guernsey) Law, 2026

ARRANGEMENT OF SECTIONS

Amendments in respect of benefit offences

1. Amendment to the 1950 Law.
2. Amendment to the 1971 Law.
3. Amendment to the 1978 Law.
4. Amendment to the 1984 Law.
5. Amendment to the 2002 Law.

Repeal of the Employment of Immigrants (Control) Guernsey Law, 1974

6. Repeal of the 1974 Law.

General

7. Citation.
8. Commencement.

PROJET DE LOI

ENTITLED

The Benefit Offences (Amendment) and Employment of Immigrants (Repeal) (Guernsey) Law, 2026

THE STATES, in pursuance of their Resolution of the 5th November 2025[a], have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

Amendments in respect of benefit offences

Amendment to the 1950 Law.

1. In section 9 of the Family Allowances (Guernsey) Law, 1950[b] -

(a) for "three months" substitute "seven years", and

(b) delete "not exceeding level 4 on the uniform scale".

Amendment to the 1971 Law.

2. In section 24 of the Income Support (Guernsey) Law, 1971[c] -

---

[a] Article II of Billet d'État No. XXVIII of 2025.

[b] Ordres en Conseil Vol. XIV, p.332; this enactment has been amended.

[c] Ordres en Conseil Vol XXIII, p.26; this enactment has been amended.

(a) delete the words "not exceeding level 3 on the uniform scale", and

(b) for "six months" substitute "seven years".

Amendment to the 1978 Law.

3. In section 104(2) of the Social Insurance (Guernsey) Law, 1978[d] –

(a) delete "summary",

(b) delete "not exceeding twice level 5 on the uniform scale", and

(c) for "three months" substitute "seven years".

Amendment to the 1984 Law.

4. In section 19(1) of the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984[e] -

(a) delete "summary",

(b) delete "not exceeding level 4 on the uniform scale", and

(c) for "three months" substitute "seven years".

Amendment to the 2002 Law.

5. In section 28(1) of the Long-term Care Insurance (Guernsey) Law, 2002[f] -

---

d Ordres en Conseil Vol. XXVI, p.192; this enactment has been amended.

e Ordres en Conseil Vol. XXVIII, p. 353; this enactment has been amended.

f Order in Council No. XXIII of 2002; this enactment has been amended.

(a) delete "summary",

(b) delete "not exceeding twice level 5 on the uniform scale", and

(c) for "3 months" substitute "seven years".

Repeal of the Employment of Immigrants (Control) (Guernsey) Law, 1974

Repeal of the 1974 Law.

6. The Employment of Immigrants (Control) (Guernsey) Law, 1974[g] is repealed.

General

Citation.

7. This Law may be cited as the Benefit Offences (Amendment) and Employment of Immigrants (Repeal) (Guernsey) Law, 2026.

Commencement.

8. (1) This Law shall come into force on the day appointed for this purpose by regulations of the Committee for Employment & Social Security; and different days may be appointed for different provisions and for different purposes.

(2) Regulations under subsection (1) must be laid before the States of Deliberation as soon as practicable after being made.

---

g Ordres en Conseil Vol. XXIV, p.334; this enactment has been amended.