

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3,865 of 21st July, 2011

B. 20/11

BILL

FOR

AN ACT to make provision for vocational trainees in social security legislation.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Social Security (Vocational Trainees Amendments) Act 2011 and shall be deemed to have come into operation on the 1st September 2006.

Amendment of the Social Security (Employment Injuries Insurance) Act.

2.(1) The Social Security (Employment Injuries Insurance) Act is amended in accordance with this section.

(2) In section 2–

- (a) after the definition of “remuneration” delete “and”;
- (b) in the definition of “secretary” for the full-stop after “section 39” substitute “; and”;
- (c) after the definition of “secretary” insert–

““vocational trainee” means a participant in a scheme, designed to provide him with training or work experience or both for the purpose of assisting him to

seek or obtain work, which is provided to him under arrangements by the Government of Gibraltar.”.

(3) After section 5 insert–

“Vocational trainees.

5A. Notwithstanding the provisions of sections 3 and 4, for the purposes of this Act a vocational trainee shall be deemed to be an insured person and in insurable employment for any weeks during the whole or part of which he is a vocational trainee but shall not be liable to pay contributions under this Act in respect of those weeks.”.

Amendment of the Social Security (Open Long-Term Benefits Scheme) Act 1997.

3.(1) The Social Security (Open Long-Term Benefits Scheme) Act 1997 is amended in accordance with this section.

(2) In section 2–

(a) in the definition of “special fund” for the full-stop substitute “,”;

(b) after the definition of “special fund” insert–

““vocational trainee” means a participant in a scheme, designed to provide him with training or work experience or both for the purpose of assisting him to seek or obtain work, which is provided to him under arrangements by the Government of Gibraltar.”.

(3) In section 3(1)(b) after “Social Security (Employment Injuries Insurance) Act” insert “or is a vocational trainee”.

(4) In section 4–

(a) in subsection (4) after “or an employed person” insert “or a vocational trainee”;

(b) after subsection (8) insert–

“(8A) Notwithstanding subsection (1)–

(a) no contribution shall be payable in respect of a person for any week during the whole or any part of which is spent as a vocational trainee; and

(b) such person shall be deemed to have made a contribution for any week during the whole or any part of which is spent as a vocational trainee.”.

Amendment of the Social Security (Non-Contributory Benefits and Unemployment Insurance) Act.

4.(1) The Social Security (Non-Contributory Benefits and Unemployment Insurance) Act is amended in accordance with this section.

(2) In section 2 after subsection (6) insert–

“(7) For the purposes of this Act, employment includes time spent as a vocational trainee as defined by section 2 of the Social Security (Insurance) Act.”.

(3) In section 8(2)(d)(ii) for “17p” substitute “one-sixth of the appropriate weekly rate of unemployment benefit”.

(4) After section 8(2)(d) insert–

“(da) a person shall not be deemed to be unemployed on any day on which he is a vocational trainee;”.

(5) In section 10–

(a) after subsection (2)(a) insert–

“(aa) he has ceased to be a vocational trainee through his misconduct or he has voluntarily ceased to be a vocational trainee without just cause;”

(b) in subsection (5)(a) after “or a separate place,” insert “or such place as a person spends time as a vocational trainee,”.

Amendment of the Social Security (Insurance) Act.

5.(1) The Social Security (Insurance) Act is amended in accordance with this section.

(2) In section 2 after the definition of “self-employed person” insert–

““vocational trainee” means a participant in a scheme, designed to provide him with training or work experience or both for the purpose of assisting him to seek or obtain work, which is provided to him under arrangements by the Government of Gibraltar.”.

(3) In section 3(1)(b) after “Social Security (Employment Injuries Insurance) Act” insert “or is a vocational trainee”.

(4) In section 4, after subsection (7) insert–

“(8) Notwithstanding subsection (1)–

- (a) no contribution shall be payable in respect of a person for any week during the whole or any part of which is spent as a vocational trainee; and
- (b) such person shall be deemed to have made a contribution for any week during the whole or any part of which is spent as a vocational trainee.”.

Amendment of the Unemployment Benefit Regulations.

6.(1) The Unemployment Benefit Regulations are amended in accordance with this section.

(2) In the proviso to regulation 3(3) after “employed contributor’s employment” insert “or are deemed to have been so paid as a vocational trainee”.

Social Security (Vocational Trainees Amendments) Act 2011 [B. 20/11]

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