

Statutory Document No. 2021/0255



Social Security Act 2000

SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992 (APPLICATION) (AMENDMENT) (NO. 8) ORDER 2021

Approved by Tynwald:

Coming into operation in accordance with article 2

The Treasury makes the following Order under section 1 of the Social Security Act 2000.

1 Title

This Order is the Social Security Contributions and Benefits Act 1992 (Application) (Amendment) (No. 8) Order 2021.

2 Commencement

This Order comes into operation immediately after it is made¹.

3 Application

- (1) This Order applies in respect of any day of incapacity for work which falls in a period of incapacity for work beginning on or after 18 July 2021.
- (2) Paragraph (1) is to be read with section 30C² (incapacity benefit: days and periods of incapacity for work) of the Social Security Contributions and Benefits Act 1992³ as it is applied to the Island⁴.

¹ Under section 2(1) of the Social Security Act 2000 an order under section 1(1) of that Act shall be laid before Tynwald as soon as may be after it is made and unless it is approved by Tynwald at the sitting at which it is laid or the next following sitting, it ceases to have effect, but without prejudice to anything done under it or to the making of a new order.

² Section 30C was inserted by section 3(1) of the Social Security (Incapacity for Work) Act 1994.

³ 1992 c.4.

⁴ See SD505/94.

4 Amendment of the Social Security Contributions and Benefits Act 1992 (Application) Order 1994

(1) The Schedule⁵ to the Social Security Contributions and Benefits Act 1992 (Application) Order 1994⁶ is amended as follows.

(2) In the entry relating to section 30B⁷ (incapacity benefit: rate), for subsection (2) substitute —

2(2) Subject to the following provisions of this section, the weekly rate of short-term incapacity benefit is —

(a) in respect of each of the first 14 days of incapacity for work which fall in any one (and only one) period of incapacity for work in a continuous period of 26 weeks, the rate specified in Schedule 4, Part I, paragraph 2(a); and

(b) in respect of any other day of incapacity for work which falls in any period of incapacity for work, the rate specified in Schedule 4, Part I, paragraph 2(b).

(2A) For the purposes only of subsection (2) above, any two periods of incapacity for work not separated by a period of more than 26 weeks shall be treated as one period of incapacity for work. **2**

(3) In the entry relating to Schedule 4⁸ (rates of benefits, etc.), in Part I (contributory periodical benefits), for paragraph 2 substitute —

2 .	Short-term incapacity benefit where —	
(a)	section 30B(2)(a) applies	(a) £230.00
(b)	section 30B(2)(b) applies	(b) £86.55 2

MADE 23RD JULY 2021

A L CANNAN
Minister for the Treasury

⁵ The Schedule sets out the Social Security Contributions and Benefits Act 1992 (1992 c.4) as it is applied to the Island.

⁶ SD505/94.

⁷ Section 30B was inserted by section 2 of the Social Security (Incapacity for Work) Act 1994 and amended by SD2017/0358.

⁸ Schedule 4 has effect as provided for by SD2021/0015.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Order which applied the Social Security Contributions and Benefits Act 1992 of Parliament to the Island subject to the exceptions, adaptations and modifications specified in that Order. The Order applies in respect of any day of incapacity for work which falls in a period of incapacity for work beginning on or after 18 July 2021.

The amendments made provide for a higher rate of short-term incapacity benefit of £230.00 per week to be payable for each of the first 14 days of incapacity for work which fall in any one (and only one) period of incapacity for work in a continuous period of 26 weeks. Provision is also made for treating 2 periods of incapacity for work which are not separated by a period of more than 26 weeks as one period of incapacity for work for these purposes.