

P. N. No. 17/90
G. C. No. 100/90

ISLE OF MAN

SOCIAL SECURITY

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990 made on 1st March 1990 by the Department of Health and Social Security in exercise of the powers contained in sections 2(2), 3(1) and 34(1) of, and paragraphs 1(2) and (3) and 2(1) and (4) of Schedule 1 to, the Supplementary Benefits Act 1976 (as that Act has effect in the Isle of Man).

The Supplementary Benefits Act 1976

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

In exercise of the powers contained in sections 2(2), 3(1) and 34(1) of, and paragraphs 1(2) and (3) and 2(1) and (4) of Schedule 1 to, the Supplementary Benefits Act 1976 (as that Act has effect in the Isle of Man) (a) and of all other enabling powers, the Department of Health and Social Security hereby makes the following regulations: -

Citation, commencement and interpretation

1. (1) These regulations may be cited as the Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990 and, subject to section 33(3) of the Supplementary Benefits Act 1976 as that Act has effect in the Isle of Man, shall come into operation on 9th April 1990.

(2) In these regulations -

"the Requirements Regulations" means the Supplementary Benefit (Requirements) Regulations 1980 (b),

"the Resources Regulations" means the Supplementary Benefit (Resources) Regulations 1981 (c), and

"the Single Payments Regulations" means the Supplementary Benefit (Single Payments) Regulations 1981 (d),

as those regulations have effect in the Isle of Man.

Amendment of the Requirements Regulations

2. (1) The Requirements Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 5(1) (normal requirements of relevant persons and householders) -

(a) in sub-paragraph (a) for '80.55' there shall be substituted '85.80';

(b) in sub-paragraph (b) for '62.25' there shall be substituted '66.30';

(c) in sub-paragraph (c) for '50.00' there shall be substituted '55.75';

(d) in sub-paragraph (d) for '38.35' there shall be substituted '40.85'.

(3) In regulation 9(2) (meals allowance for boarders), in sub-paragraph (b), in head (i) for '1.10' and in heads (ii) and (iii) for '1.55' there shall be substituted '1.15' and '1.65' respectively.

(a) c. 71; G. C. 249/80 (b) S. I. 1980/1299; G. C. 245/80
 (c) S. I. 1981/1527; G. C. 252/82 (d) S. I. 1981/1528; G. C. 252/82.

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

- (4) In regulation 9(8) (allowance for personal expenses of boarders) -
- (a) in sub-paragraph (a), in head (i) for '27.10' and in head (ii) for '24.30' there shall be substituted '28.90' and '25.90' respectively;
 - (b) in sub-paragraph (b), in head (i) for '13.55' and in head (ii) for '12.15' there shall be substituted '14.45' and '12.95' respectively;
 - (c) in sub-paragraph (c), in head (i) for '4.15' there shall be substituted '4.35'.
- (5) In regulation 15(3) (deduction for items included in rent) for '7.40', '0.60', '0.90' and '0.90' there shall be substituted '7.90', '0.65', '0.95' and '0.95' respectively.
- (6) In regulation 17(1) (maintenance and insurance) for '3.95' there shall be substituted '4.20'.
- (7) In regulation 22 (reduction in amounts applicable for certain occupants of the home), in paragraph (4) -
- (a) in sub-paragraph (c) for '4.50' there shall be substituted '4.80', and
 - (b) in sub-paragraph (d) for '15.90' there shall be substituted '16.95'.
- (8) In regulation 23(1) (non-householder's contribution) -
- (a) in sub-paragraph (a) for '4.50' there shall be substituted '4.80';
 - (b) in sub-paragraph (b) for '9.00' there shall be substituted '9.60'.
- (9) In Schedule 1 (normal requirements), in column (2) (weekly amount) -
- (a) in paragraph A (rates for couples) for '80.55' and '62.25' there shall be substituted '85.80' and '66.30' respectively;
 - (b) in paragraph B (rates for householders) for '50.00' and '38.35' there shall be substituted '55.75' and '40.85' respectively;
 - (c) in paragraph 1 (rates for non-householders aged not less than 18 or less than 18 with a dependant) for '39.80' and '30.75' there shall be substituted '42.40' and '32.75' respectively;

The Supplementary Benefits Act 1976

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

- (d) in paragraph 2 (rates for non-householders aged less than 18 without a dependant) for '30.25' and '23.70' there shall be substituted '32.20' and '25.25' respectively;
- (e) in paragraph 3 (rates for dependants) for '22.75', '15.70', '11.70' and '5.15' there shall be substituted '24.25', '16.70', '12.45' and '5.50' respectively.
- (10) In Schedule 2 (modification of normal requirements in special cases), in column (3) (modified amount), in paragraph 2 for sub-paragraph (c) there shall be substituted -
- "(c) Either -
- (i) such amount as an adjudication officer so determines acting in accordance with such directions as the Department may give, either in general or in any particular case or class of case, for the purpose of this paragraph; or
- (ii) if no such directions have been given or the case is not one to which any such directions apply, 20% of the long-term rate for householders plus, if the claimant has a dependant, the difference between the ordinary rate for householders and the amount applicable to the dependant or, if more than one dependant, to the older or oldest of them, under paragraph 3 of Schedule 1."
- (11) In Schedule 3 (Additional requirements) -
- (a) subject to paragraph (12), for the amount specified in column (2) of that Schedule in relation to each provision set out in column 1 of Schedule 1 to these regulations, such amount being set out in column 2 of that Schedule 1, there shall be substituted the amount set out in relation to that provision in column 3 of that Schedule 1;
- (b) in paragraph 7(c), in column (1) for '85' there shall be substituted '80';
- (c) in paragraph 9A, in column 1 after "(5)(a)" there shall be inserted "or (aa)".
- (12) Except for the amounts in column 3 of Schedule 1 to these regulations set out in relation to paragraphs 8, 9A, 10, 11, 13, 16 and 17, regulation 2(11)(a) of these regulations shall have effect as if for the period 31st December 1990 to 7th April 1991 the amounts set out in that column were greater by £3.60.

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990Amendment of the Resources Regulations

3. (1) The Resources Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2 (Interpretation) in paragraph (1) after the definition of "war disablement pension", there shall be inserted -

"war widows pension" means a pension or allowance granted to a widow or widower in respect of a death due to service in the armed forces of the crown or any payment which the Department accepts as being analogous to any such pension or allowance."

(3) In regulation 6 (capital resources to be disregarded) for paragraphs (2) and (3) there shall be substituted -

"(2) Where the value of a claimant's capital resources (including those of a partner or dependant) as calculated in accordance with these regulations is -

a) in the case of a claimant to whom paragraph 1 of Schedule 2 to the Requirements Regulations applies (persons in residential accommodation), £3,000 or less, or

b) in any other case, £5,000 or less,

those resources shall, except in so far as any provision of the Act or regulations made pursuant to it provides otherwise, be disregarded.

(3)(a) Where the value of a claimant's capital resources (including those of a partner or dependant) as calculated in accordance with these regulations exceeds -

a) in the case of a claimant to whom paragraph 1 of Schedule 2 to the Requirements Regulations applies (persons in residential accommodation), £3,000 or

b) in any other case £5,000

it shall be treated as equivalent to a weekly income of £1 for each complete £250 in excess of that £3,000 or, as the case may be, £5,000 but not exceeding £10,000.

(b) For the purposes of sub-paragraph (a), capital includes any income treated as capital under these regulations."

The Supplementary Benefits Act 1976

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

- (4) In regulation 7 (maximum capital resources for entitlement to pension or allowance) for '8,000' there shall be substituted '10,000'.
- (5) In regulation 11, in paragraph (5) -
- (a) there shall be inserted the following sub-paragraph -
- "(a) any war disablement pension or war widows pension;" , and
- (b) for '£5' there shall be substituted -
- "either -
- (i) £10, in a case to which sub-paragraph (a) applies, or
- (ii) £5 in any other case."

Amendment of the Single Payments Regulations

4. For the amounts set out in Column 2 of Schedules 1A (Essential furniture and household equipment), 1B (Miscellaneous furniture and household equipment needs), 1C (Bedding) and 2 (Clothing and Footwear) to the Single Payments Regulations, which amounts are set out in Column 1 of Schedule 2 to these regulations, there shall be substituted the corresponding amounts set out in Column 2 of Schedule 2 to these regulations.

Made this 1st day of March 1990

J. C. CAIN, M. H. K.

MINISTER FOR HEALTH
AND SOCIAL SECURITY

Approved by Tynwald on 21st March 1990

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 1 (Regulation 2(11))Amounts substituted in Schedule 3 to the Requirements Regulations

COLUMN 1	COLUMN 2	COLUMN 3
Provision of Schedule 3 to the Requirements Regulations	Old Amount	New Amount
	£	£
Part 1 - Heating		
Paragraph 1 (ill-health) -		
sub-paragraph (1)	3.05	3.25
sub-paragraph (2)	7.70	8.20
sub-paragraph (3)	7.70	8.20
Paragraph 2 (home difficult to heat) -		
sub-paragraph (a)	3.05	3.25
sub-paragraph (b)	7.70	8.20
Paragraph 3 (central heating) -		
sub-paragraph (a)	3.05	3.25
sub-paragraph (b)	6.10	6.50
Paragraph 5 (estate heating) -		
sub-paragraph (a)	6.10	6.50
sub-paragraph (b)	12.20	13.00
Paragraph 6 (person receiving certain disability benefits)	7.70	8.20
Paragraph 7 (age-related) -		
sub-paragraph (a)	3.05	3.25
sub-paragraph (b)	3.05	3.25
sub-paragraph (c)	7.70	8.20
Paragraph 7A (miscellaneous)	3.05	3.25
Part II - Items other than heating		
Paragraph 8 (in respect of age)	1.25	2.00
Paragraph 9A (mobility needs)	24.40	26.25
Paragraph 10 (baths)	0.40	0.45

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 1 (Continued)

COLUMN 1	COLUMN 2	COLUMN 3
Provision of Schedule 3 to the Requirements Regulation	Old Amount	New Amount
	£	£
Paragraph 11 (blindness)		
sub-paragraph (a)	13.70	14.60
sub-paragraph (b)	6.50	6.90
Paragraph 13 (diet) -		
sub-paragraph (a)	4.65	4.95
sub-paragraph (b)	2.05	2.20
sub-paragraph (c)	2.05	2.20
sub-paragraph (d)	13.20	14.05
Paragraph 16 (hospital fares) -		
sub-paragraph (b)(i)	15.30	17.90
sub-paragraph (b)(ii)	11.05	12.95
sub-paragraph (c)(i)	7.40	8.65
sub-paragraph (c)(ii)	3.15	3.70
sub-paragraph (d)(i)	16.45	19.25
sub-paragraph (d)(ii)	10.85	12.70
sub-paragraph (d)(iii)	7.70	9.00
sub-paragraph (d)(iv)	2.50	2.95
sub-paragraph (e)(i)	30.75	36.00
sub-paragraph (e)(ii)	22.50	26.35
sub-paragraph (e)(iii)	23.05	27.00
sub-paragraph (e)(iv)	16.45	19.25
Paragraph 17 (laundry)	0.70	0.75

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 2 (Regulation 4)

	COLUMN 1	COLUMN 2
	(Old Amount)	(New Amount)
<u>Amounts substituted in column 2 of Schedule 1A to the Single Payments Regulations (Essential Furniture and Household Equipment)</u>		
	30.00	34.00
	45.00	51.00
	35.00	40.00
	60.00	69.00
	2.50	3.00
	150.00	172.00
	30.00	34.00
	17.00	20.00
	100.00	115.00
	35.00	40.00
	45.00	51.00
	6.00	7.00
	17.00	20.00
	28.00	32.00
	25.00	29.00
<u>Amount substituted in column 2 of Schedule 1B to the Single Payments Regulations (Miscellaneous Furniture and Household Equipment Needs)</u>		
	90.00	96.00
	60.00	64.00
<u>Amounts substituted in column 2 of Schedule 1C to the Single Payments Regulations (Bedding)</u>		
	15.00	17.00
	18.00	21.00
	5.00	6.00
	2.25	2.75
	7.50	8.75
	9.00	10.50
	25.00	29.00

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 2 (Regulation 4)
(Continued)

	COLUMN 1	COLUMN 2
	(Old Amount)	(New Amount)
	£	£
<u>Amounts substituted in column 2 of</u>		
<u>Schedule 2 to the Single Payments</u>		
<u>Regulations (Clothing and Footwear)</u>		
<u>- Part I (Men's clothing and Footwear)</u>		
	23.00	26.50
	7.00	8.00
	14.00	16.00
	18.00	21.00
	55.00	63.00
	11.00	12.50
	9.20	10.50
	35.00	40.00
	9.00	10.50
	18.00	21.00
	6.50	7.50
	1.60	1.85
	40.00	46.00
	60.00	69.00
	16.00	18.50
	1.90	2.20
	6.00	7.00
	5.00	6.00
	2.75	3.15
	5.00	6.00
<u>- Part II (Working Clothes & Footwear)</u>		
	14.00	16.00
	16.25	18.75
	20.00	23.00
	11.50	13.25
	13.00	15.00
	11.00	12.75
	60.00	69.00
	12.00	14.00

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 2 (Regulation 4)
(Continued)

	COLUMN 1		COLUMN 2	
	Old Amount		New Amount	
	£		£	
- <u>Part III (Women's Clothing and Footwear)</u>	9.00		10.50	
	18.00		21.00	
	5.00		6.00	
	1.50		1.75	
	11.00		12.50	
	16.25		18.75	
	16.00		18.50	
	19.00		22.00	
	15.00		17.00	
	11.00		12.50	
	6.00		7.00	
	10.00		11.50	
	2.85		3.25	
	7.00		8.00	
	8.60		10.00	
	44.00		50.50	
	5.50		6.50	
	10.00		11.50	
	32.50		37.50	
	15.00		17.00	
	13.00		15.00	
	6.00		7.00	
	0.80		0.90	
	14.00		16.00	
	2.50		3.00	
	3.50		4.00	
- <u>Part IV (Boys' Clothing and Footwear)</u>	<u>Small to Large</u>	<u>Small to Large</u>	<u>Small to Large</u>	<u>Small to Large</u>
	8.60	12.50	9.90	14.50
	17.00	23.00	20.00	26.50
	11.00	17.00	12.50	20.00
	19.00	27.50	22.00	31.50
	5.00	8.00	6.00	9.00
	15.00	21.00	17.00	24.00
	4.50	7.00	5.50	8.00
	8.90	12.50	10.25	14.50
	3.50	5.00	4.00	6.00
	0.90	1.15	1.05	1.35
	5.00	8.00	6.00	9.00

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990SCHEDULE 2 (Regulation 4)
(Continued)

	COLUMN 1		COLUMN 2	
	Old Amount		New Amount	
	£		£	
	<u>Small to Large</u>		<u>Small to Large</u>	
	6.80	11.50	7.80	13.25
	4.50	6.00	5.50	7.00
	-	1.25	-	1.50
	-	1.50	-	1.75
	4.15	6.20	4.75	7.15
- <u>Part V (Girls' Clothing and Footwear)</u>	4.70	8.30	5.40	9.50
	-	3.00	-	3.45
	-	1.10	-	1.25
	5.00	9.00	6.00	10.50
	6.00	13.00	7.00	15.00
	7.50	15.00	8.75	17.00
	8.60	13.00	10.00	15.00
	17.00	23.00	20.00	26.50
	-	11.00	-	12.50
	11.00	17.00	12.50	20.00
	4.90	8.00	5.60	9.00
	5.00	7.30	6.00	8.40
	18.00	26.50	21.00	30.50
	2.25	3.05	2.60	3.50
	5.00	8.00	6.00	9.00
	15.00	21.00	17.00	24.00
	8.90	12.50	10.25	14.50
	5.90	10.00	6.80	11.50
	3.50	5.00	4.00	6.00
	0.90	1.15	1.05	1.35
	-	0.80	-	0.90
	6.50	11.00	7.50	12.50
	-	1.50	-	1.75
	4.15	6.20	4.75	7.15

The Supplementary Benefits Act 1976

The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

Explanatory Note

(This note is not part of the Regulations)

1. These regulations which come into force on 9th April 1990 amend
 - the Supplementary Benefit (Requirements) Regulations 1980 ('the 1980 Regulations')
 - the Supplementary Benefit (Resources) Regulations 1981 ('the 1981 Regulations'), and
 - the Supplementary Benefit (Single Payments) Regulations 1981 ('the Single Payments Regulations')

so as to increase certain sums or modify certain conditions prescribed for the purpose of calculating entitlement to a weekly allowance or pension or to a single payment under the Supplementary Benefits Act 1976.

2. Regulation 1 deals with citation, commencement and interpretation.
3. Regulation 2 contains amendments to the 1980 Regulations. Paragraph (1) introduces the amendments and paragraph (2) prescribes increased rates of normal requirements for couples and single householders. Paragraph (3) prescribes increased rates of allowances for boarders for meals not included in the board and lodging charge and paragraph (4) prescribes increased rates of allowances for personal expenses for boarders. Paragraph (5) increases the sums to be deducted from housing requirements where rent is all inclusive of certain expenses covered by normal requirements (heating, lighting etc.) and paragraph (6) increases the amount included in housing requirements for owner/occupiers in respect of maintenance and insurance of the home. Paragraph (7) increases the rates of assumed contributions from non-dependants to the housing costs of the household and paragraph (8) increases the notional housing requirements of a non-householder claimant. Paragraph (9) amends schedule 1 to the 1980 Regulations to provide for the increased rates of normal requirements for couples, householders, non-householders and their dependants. Paragraph 10 amends that part of Schedule 2 to the 1980 regulations which provides for the modified rate of normal requirements for claimants who have been hospital in-patients for at least 6 weeks. The amendment gives the Department power to direct, either generally or in any particular case or class of case, that a rate other than the prescribed rate shall apply. Paragraph (11)(a), with Schedule 1 to these regulations, increases sums prescribed for additional requirements; paragraph (11)(b) reduces from 85 to 80 the age at which the highest rate of additional heating requirement is automatically awarded, and paragraph (11)(c) makes a minor drafting amendment. Paragraph (12) provides that all the rates of additional requirements for heating are to be subject to a special increase of £3.60 a week during the period 31st December 1990 to 7th April 1991.

The Supplementary Benefits Act 1976The Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1990

4. Regulation 3 contains amendments to the 1981 Regulations. Paragraph (1) introduces those amendments and paragraph (2) inserts a definition of 'war widows pension' into the interpretation provisions in regulation 2 of the 1981 Regulations. Paragraph (3) amends regulation 6 of the 1981 Regulations to make new provision in relation to the treatment of capital under the supplementary benefit scheme. Except for persons in residential (including nursing) home accommodation the amount of capital to be disregarded is increased from £3,000 to £5,000. The maximum capital holdings in any case (beyond which title to benefit is automatically excluded) is increased, by paragraph (4), from £8,000 to £10,000. Paragraph (5) increases from £5 to £10 the amount of a war disablement or war widows pension which is disregarded in assessing a person's weekly resources.

5. Regulation 4 with Schedule 2 amends the Single Payments Regulations by increasing certain sums prescribed for the purpose of determining the amount of a single payment for essential furniture and household equipment, miscellaneous furniture and household equipment needs, bedding and clothing and footwear.