

ISLE OF MAN

SOCIAL SECURITY

The Social Security Legislation (Application) (No. 4) Order 1990

The Social Security Legislation (Application) (No. 4) Order 1990 made on 26th April 1990 by the Department of Health and Social Security in exercise of the powers conferred by section 1 of the Social Security Act 1982

The Social Security Act 1982

The Social Security Legislation (Application) (No. 4) Order 1990

In exercise of the powers conferred on the Department of Health and Social Security by section 1 of the Social Security Act 1982(a), and of all other enabling powers, the following Order is hereby made:-

Citation and commencement

1. This Order may be cited as the Social Security Legislation (Application) (No. 4) Order 1990 and shall come into operation on the day following its approval by Tynwald.

Amendment of GC 248/80

2. (1) Schedule 2 to the Social Security Legislation (Application) (No. 2) Order 1980(b) (which applies the Social Security (No. 2) Act 1980(c) (an Act of Parliament) to the Island) is amended as follows.

- (2) For the entry relating to section 6 (trade disputes) there is substituted -

" 6 Supplementary (a) In subsection (1) -
benefit in cases affected by trade disputes. (i) omit paragraph (a)(ii);
(ii) in paragraph (b), for "£12" (in each place) substitute "the specified sum".

- (b) Omit subsection (2).

- (c) For subsection (3) substitute -

"(3) Regulations may provide that, in relation to such period as may be specified in the regulations, paragraph (b) of subsection (1) shall have effect with the substitution for references to the specified sum of references to a sum prescribed by the regulations."

- (d) In subsection (4), for the definition of "the specified sum" substitute -

"'the specified sum' means the sum for the time being specified by virtue of section 23(7) of the Social Security Act 1986(d) in an order under section 63 of that Act, as it has effect in Great Britain;"

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Amendment of GC 62/81

3. (1) Schedule 2 to the Social Security Subsidiary Legislation (Application) (Supplementary Benefits) Order 1981(a) (which applies the Supplementary Benefit (Trade Disputes and Recovery from Earnings) Regulations 1980(b) to the Island) is amended as follows.

(2) After the entry relating to Regulation 5 there is inserted -

" 12	Disregard of an amount of specified payments.	For paragraph (2)(b) substitute -	"'specified sum' has the same meaning as in section 6 of the No. 2 Act."	".
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Amendment of GC 252/82

4. (1) Schedule 5 to the Social Security Legislation (Application) (No. 6) Order 1982(c) (which applies the Supplementary Benefit (Resources) Regulations 1981 (d) to the Island) is amended as follows.

(2) In the entry relating to regulation 11 (calculation of other income) for paragraph (j) there is substituted -

"(j) Add the following new paragraph -

"(m) any special war widows payment made under-

(i) the Naval and Marine Pay and Pensions (Special War Widows Payment) Order 1990 made under section 3 of the Naval and Marine Pay and Pensions Act 1865(e);

(ii) the Royal Warrant dated 10 February 1990 amending the Schedule to the Army Pensions Warrant 1977(f);

(iii) the Queen's Order dated 26th February 1990 made under section 2 of the Air Force (Constitution) Act 1917(g);

(iv) the Home Guard War Widows Special Payments Regulations 1990 made under section 151 of the Reserve Forces Act 1980(h);

(a) GC 62/81; (b) SI 1980/1641; (c) GC 252/82; (d) SI 1981/1527;
(e) 1865 c. 73; (f) Army Code No. 13045; (g) 1917 c. 51; (h) 1980 c. 9.

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(v) the Orders dated 19th February 1990 amending Orders made on 12th December 1980 concerning the Ulster Defence Regiment made in each case under section 140 of the Reserve Forces Act 1980(a);

and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under the provisions mentioned in sub-paragraphs (i) to (v) of this sub-paragraph.";

(k) Omit paragraph (5)(a)."

Made this 25th day of April 1990

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

MINISTER FOR HEALTH
AND SOCIAL SECURITY

Approved by Tynwald on 16th May 1990.

(a) Army Code No. 60589.

The Social Security Act 1982

The Social Security Legislation (Application) (No. 4) Order 1990

EXPLANATORY NOTE

(This note is not part of the Order)

Articles 2 and 3 - Section 6(1) of the Social Security (No. 2) Act 1980, as it applies to the Isle of Man, provides for the deduction from supplementary benefit of a specified sum if the recipient is affected by a trade dispute. These articles provide for the amount of the sum to be the same as the equivalent amount deducted from income support in Great Britain, except where regulations otherwise provide.

Article 4 - Provides that the special payment of £40 per week for war widows who were widowed before 1973 will be disregarded in the calculation of their income for supplementary benefit purposes.