



Statutory Document No. 78/93

The Supplementary Benefits Act 1976

**THE SUPPLEMENTARY BENEFIT (CONDITIONS OF ENTITLEMENT, REQUIREMENTS,
AND RESOURCES) (AMENDMENT) REGULATIONS 1993**

Approved by Tynwald

16 March 1993

Coming into operation

12th April 1993

In exercise of the powers contained in sections 2(2) 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 (Conditions of Entitlement, Requirements and Resources) (Amendment) Regulations 1993 and, subject to section 33(3) of the Supplementary Benefits Act 1976 as that Act has effect in the Isle of Man shall, with the exception of Regulation 5(2), come into operation on 12th April 1993.

(2) In these regulations -

(a) "the Social Security Act 1975" means the Social Security Act 1975 as it has effect in the Isle of Man (b).

(b) "the Conditions of Entitlement Regulations" means the Supplementary Benefit (Conditions of Entitlement) Regulations 1981 (c),

"the Requirements Regulations" means the Supplementary Benefit (Requirements) Regulations 1980 (d), and

"the Resources Regulations" means the Supplementary Benefit (Resources) Regulations 1981 (e),

as those regulations have effect in the Isle of Man.

Amendment of G C 135/92

2(1) Regulation 2(13) of the Supplementary Benefit (Requirements, Resources and Single Payments) (Amendment) Regulations 1992(f) shall be amended in accordance with the following paragraph.

(a) c.71, G.C. 249/80; (b) c.14, G.C. 154/75; (c) S.I. 1981/1526, G.C.252/82;
(d) S.I.1980/1299, G.C.245/80; (e) S.I.1981/1527, G.C. 252/82; (f) G.C. 135/92.

- (2) For the words "4th April 1993" there shall be substituted the words "11th April 1993".

Amendment of the Conditions of Entitlement Regulations

3. In regulation 3, paragraph (2)(a) -
- (a) omit the word "either", and
 - (b) after head (i) insert -
"(ia) the absence is on account of medical advice and he has produced evidence of that advice; or".

Amendment of the Requirements Regulations

- 4.(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 "100.65" there shall be substituted "104.35";
 - (b) in sub-paragraph (b) for "77.80" there shall be substituted "80.70";
 - (c) in sub-paragraph (c) for "65.40" there shall be substituted "67.80";
 - (d) in sub-paragraph (d) for "50.55" there shall be substituted "52.40".
- (3) In regulation 9(2) (meals allowance for boarders), in sub-paragraph (b), in head (i) for "1.35" and in heads (ii) and (iii) for "1.95" there shall be substituted "1.40" and "2.00" respectively.
- (4) In regulation 9(8) (allowance for personal expenses of boarders) -
- (a) in sub-paragraph (a), in head (i) for "33.90" and in head (ii) for "30.40" there shall be substituted "35.20" and "31.50" respectively;
 - (b) in sub-paragraph (b), in head (i) for "16.95" and in head (ii) for "15.20" there shall be substituted "17.60" and "15.75" respectively;
 - (c) in sub-paragraph (c), in head (i) for "5.10" there shall be substituted "5.30".
- (5) In regulation 15(3) (deduction for items included in rent) for "9.25", "0.75", "1.15" and "1.15" there shall be substituted "9.60", "0.80", "1.20" and "1.20" respectively.
- (6) In regulation 17(1) (maintenance and insurance) for "5.25" there shall be substituted "5.50".
- (7) In regulation 22 (reduction in amounts applicable for certain occupants of the home), in paragraph (4) -
- (a) in sub-paragraph (c) for "6.55" there shall be substituted "6.90", and
 - (b) in sub-paragraph (d) for "23.10" there shall be substituted "24.25".
- (8) In regulation 23(1) (non-householder's contribution) -
- (a) in sub-paragraph (a) for "6.55" there shall be substituted "6.90";

- (b) in sub-paragraph (b) for "13.10" there shall be substituted "13.80".
- (9) In Schedule 1 (normal requirements), in column (2) (weekly amount) -
- (a) in paragraph A (rates for couples) for "100.65" and "77.80" there shall be substituted "104.35" and "80.70" respectively;
- (b) in paragraph B (rates for householders) for "65.40" and "50.55" there shall be substituted "67.80" and "52.40" respectively;
- (c) in paragraph 1 (rates for non-householders aged not less than 18 or less than 18 with a dependant) for "49.75" and "38.45" there shall be substituted "51.60" and "39.85" respectively;
- (d) in paragraph 2 (rates for non-householders aged less than 18 without a dependant) for "37.80" and "29.60" there shall be substituted "39.20" and "30.70" respectively;
- (e) in paragraph 3 (rates for dependants) for "28.45", "19.55", "14.60" and "6.45" there shall be substituted "29.50", "20.25", "15.15" and "6.70" respectively.
- (10) In Schedule 3 (Additional requirements) -
- Subject to paragraph (13), 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;
- (11) Except for the amounts in column 3 of Schedule 1 to these regulations set out in relation to paragraphs 8, 9A, 9B, 10, 11, 13, and 17, regulation 3(10) of these regulations shall have effect as if for the period 3rd January 1994 to 10th April 1994 the amounts set out in that column were greater by £4.85.

Amendment of the Resources Regulations

- 5.(1) In regulation 10 in paragraph (5A), after sub-paragraph (a) insert the following sub-paragraph -
- "(aa) is in receipt of an additional requirement for carers in accordance with the provisions of paragraph 9B of Schedule 3 to the Requirements Regulations; or".
- (2) In Regulation 11 -
- (a) in paragraph (4), after sub-paragraph (c) insert the following sub-paragraph -
- "(ca)(i) in each of the years specified in column (1) of the following table, the proportion (specified in column (2) of that table) of a pension supplement paid in that year -

1993/94	100%
1994/95	80%
1995/96	60%
1996/97	40%
1997/98	20%

(b) after paragraph (4) insert -

"(4A) For the purposes of paragraph (3)(ca) a year shall be treated as commencing on the following date -

1993/94	5th April 1993
1994/95	11th April 1994
1995/96	10th April 1995
1996/97	8th April 1996
1997/98	7th April 1997
1998/99	6th April 1998

SCHEDULE 1 (Regulation 2(10))

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)	3.85	4.00
sub-paragraph (2)	9.60	9.95
sub-paragraph (3)	9.60	9.95
Paragraph 2 (home difficult to heat) -		
sub-paragraph (a)	3.85	4.00
sub-paragraph (b)	9.60	9.95
Paragraph 3 (central heating) -		
sub-paragraph (a)	3.85	4.00
sub-paragraph (b)	7.60	7.90
Paragraph 5 (estate heating) -		
sub-paragraph (a)	7.60	7.90
sub-paragraph (b)	15.25	15.80
Paragraph 6 (person receiving certain disability benefits)		
	9.60	9.95
Paragraph 7 (age-related) -		
sub-paragraph (a)	3.85	4.00
sub-paragraph (b)	3.85	4.00
sub-paragraph (c)	9.60	9.95
Paragraph 7A (miscellaneous)	3.85	4.00

SCHEDULE 1 (Continued)

COLUMN 1	COLUMN 2	COLUMN 3
Provision of Schedule 3 to the Requirements Regulation	Old Amount	New Amount
	£	£
Part II - Items other than heating		
Paragraph 8 (in respect of age)	8.65	8.95
Paragraph 9A (mobility needs)	30.30	31.40
Paragraph 9B (carer)	11.55	11.95
Paragraph 10 (baths)	0.55	0.55
Paragraph 11 (blindness)		
sub-paragraph (a)	17.15	17.80
sub-paragraph (b)	8.10	8.40
Paragraph 13 (diet) -		
sub-paragraph (a)	5.80	6.00
sub-paragraph (b)	2.60	2.70
sub-paragraph (c)	2.60	2.70
sub-paragraph (d)	16.50	17.10
Paragraph 17 (laundry)	0.85	0.90

Made this 11th day of February 1993

B MAY M.H.K.

Minister for Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These regulations which come into force on 5th and 12th April 1993 amend
 - the Supplementary Benefit (Requirements, Resources and Single Payments) Regulations 1992
 - the Supplementary Benefit (Conditions of Entitlement) Regulations 1981 ("the Conditions of Entitlement Regulations"),

- the Supplementary Benefit (Requirements) Regulations 1980 ("the 1980 Regulations"), and
- the Supplementary Benefit (Resources) Regulations 1981 ("the 1981 Regulations"),

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

2.(1) Regulation 1

This regulation deals with citation, commencement and interpretation.

(2) Regulation 2

This regulation amends the Supplementary Benefit (Requirements, Resources and Single Payments) Amendment Regulations 1992 by providing that the Winter Heating Supplement shall be continued for an extra week - to coincide with the up-rating of benefits from 12th April 1993.

(3) Regulation 3

This regulation amends the Conditions of Entitlement Regulations by providing that where a person is receiving Supplementary Benefit because of an incapacity for work, but that incapacity has been for less than 6 months, he should, nevertheless, be permitted to continue to receive Supplementary Benefit for the first 4 weeks of absence from the Island if that absence is on account of medical advice.

(4) Regulation 4

This Regulation is concerned with amendments to the Requirements Regulations.

Paragraph (1) introduces the amendments.

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.

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.).

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.

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) with Schedule 1 to these regulations, increases sums prescribed for additional requirements.

Paragraph (11) provides that all the rates of additional requirements for heating are to be subject to a special increase of £4.85 per week during the period 3 January 1994 to 10 April 1994. This increase is known as the "Winter Heating Supplement".

(5) Regulation 5

This regulation contains amendments to the Resources Regulations:-

Paragraph (1) provides for a disregard of £15 from the weekly earnings of anyone who qualifies for an additional requirement for carers.

Paragraph 2 provides that a proportion of pension supplement is to be disregarded as income for the purposes of establishing entitlement to Supplementary Benefit; 100% is to be disregarded in 1993/94, 80% in 1994/95, 60% in 1995/96 and so on.