



Statutory Document No. 41/97

THE SOCIAL SECURITY ACT 1982

THE SOCIAL SECURITY LEGISLATION (APPLICATION)
ORDER 1997

Approved by Tynwald *19th March 1997*

Coming into operation *7th April 1997*

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, commencement and interpretation

1. (1) This Order may be cited as the Social Security Legislation (Application) Order 1997.

(2) This Article and Articles 2, 4 and 5 shall come into force on 7th April 1997.

(3) Article 3 shall be deemed to have come into force on the same day as the Regulations referred to in that Article.

(4) In this Order "the principal Order" means the Social Security Legislation (Application) (No. 3) Order 1992(b).

Amendment of the principal Order

2. Part 4 of the Schedule to the principal Order (which applies the Disability Working Allowance (General) Regulations 1991(c) to the Island) shall be amended in accordance with the following Articles.

3. For the entry relating to regulation 7 (income-related benefits) there shall be substituted the following -

"7	Income-related benefits	For regulation 7 substitute -
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"7. For the purposes of section 129(4) of the Contributions and Benefits Act the prescribed circumstances are that the supplementary benefit there referred to, was paid because the claimant had been incapable of work for a continuous period of 28 weeks and had been submitting medical certificates as proof of his incapacity."

(a) 1982 c.9; (b) G.C. 129/92; (c) S.I. 1991/2887.

4. After the entry relating to regulation 51 insert -

"51A	Conditions for an additional payment for persons working 30 hours or more	In respect of a single claimant who works in employed earner's employment, or a claimant who is a member of a married or unmarried couple either or both of whom work in employed earner's employment, for not less than 30 hours per week, an additional sum, specified in regulation 52(1B), shall be paid with the weekly rate of benefit calculated for that claimant."
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5. For regulation 52 (applicable amount) there shall be substituted the following -

"52	Applicable amount	For paragraphs (1) and (1A) substitute - "(1) The applicable amount for the purposes of section 129(1) of the Contributions and Benefits Act (conditions of entitlement) is - (a) if the claimant is single £127.10 (b) if the claimant is a member of a married or unmarried couple or a lone parent £189.60 plus £7.00 for the first or only child or young person, plus £21.10 for each additional child or young person. (1A) The applicable amount under paragraph (1) above shall be increased by £19.00 in respect of each child or young person in respect of whom the conditions specified in regulation 51 are satisfied. (1B) For the purposes of regulation 51A, the specified amount shall be £10.60."
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Revocation

6. Article 2(4) of the Social Security Legislation (Application) Order 1996(a) is hereby revoked.

Made 13th February 1997

Mrs C M Christian B.Sc. M.L.C.
Minister for Health and Social Security

(a) S.D. 58/96.

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order increases the prescribed amounts for disability working allowance.
2. Article 1 deals with citation, commencement and interpretation and provides that the provisions within the Order shall operate from 7th April 1997 with the exception of Article 3 which comes into force on the same day as the principal Order referred to in Article 1.
3. Article 3 amends the Disability Working Allowance provisions to remove the need for a person to complete a renewal form to show continuing entitlement to that benefit if his partner is in receipt of certain benefits or if he or his partner is not less than 60.

The prescribed amounts from April 1997 will be as follows (existing rates in brackets) -

For a single person with no children	127.10	£ (123.80)
married or unmarried couple or lone parent	189.60	(184.60)
plus for first or only child	7.00	(6.80)
plus for each child after the first	21.10	(20.50)
plus for each disabled child or young person	19.00	(18.50)

4. Article 4 provides for an additional £10.60 payable to persons who work in employed earner's employment for 30 hours or more per week.
5. Article 5 amends regulation 52 of the Disability Working Allowance (General) Regulations 1992 so as to increase the prescribed amounts (that is the amount of weekly income below which a family may qualify for supplements).
6. Article 6 revokes that part of the Social Security Legislation (Application) Order 1996 (a) which provided for increases in prescribed amounts from April 1996.