



Statutory Document No. 83/98

THE SUPPLEMENTARY BENEFITS ACT 1976

THE SUPPLEMENTARY BENEFIT (REQUIREMENTS AND RESOURCES)
(AMENDMENT) REGULATIONS 1998

Approved by Tynwald *18th March 1998*

Coming into operation *6th April 1998*

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 make the following Regulations:-

Citation, commencement and interpretation

1. (1) These Regulations may be cited as the Supplementary Benefit (Requirements and Resources) (Amendment) Regulations 1998 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 6th April 1997.

(2) In these Regulations -

“the Requirements Regulations” means the Supplementary Benefit (Requirements) Regulations 1980(b); and

“the Resources Regulations” means the Supplementary Benefit (Resources) Regulations 1981(c);

as those Regulations have effect in the Isle of Man.

(a) 1976 c. 71, G.C. 249/80; (b) S.I. 1980/1299; (c) S.I. 1981/1527.

Price: £1.05

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 "118.40" there shall be substituted "121.60";
- (b) in sub-paragraph (b) for "91.75" there shall be substituted "94.20";
- (c) in sub-paragraph (c) for "77.00" there shall be substituted "79.10";
- (d) in sub-paragraph (d) for "59.65" there shall be substituted "61.25".

(3) In regulation 9(2) (meals allowance for boarders), in sub-paragraph (b), in head (i) for "1.60" and in heads (ii) and (iii) for "2.25" there shall be substituted "1.65" and "2.30" respectively.

(4) In regulation 9(8) (allowance for personal expenses of boarders) -

- (a) in sub-paragraph (a), in head (i) for "40.80" and in head (ii) for "36.60" there shall be substituted "41.90" and "37.60" respectively;
- (b) in sub-paragraph (b), in head (i) for "20.40" and in head (ii) for "18.30" there shall be substituted "20.95" and "18.80" respectively;
- (c) in sub-paragraph (c), in head (i) for "6.00" there shall be substituted "6.15".

(5) In regulation 15(3) (deduction for items included in rent) for "11.05", "1.40" and "1.40" there shall be substituted "11.60", "1.45" and "1.45" respectively.

(6) In regulation 17(1) (maintenance and insurance) for "6.60" there shall be substituted "6.95".

(7) In regulation 22 (reduction in amounts applicable for certain occupants of the home) -

- (a) in subsection (4) -
 - (i) in sub-paragraph (c) for "8.60" there shall be substituted "9.05", and
 - (ii) in sub-paragraph (d) for "28.60" there shall be substituted "30.05".

(8) In regulation 23(1) (non-householder's contribution) -

- (a) in sub-paragraph (a) for "8.60" there shall be substituted "9.05";
- (b) in sub-paragraph (b) for "17.20" there shall be substituted "18.10".

(9) In Schedule 1 (normal requirements), in column (2) (weekly amount) -

- (a) in paragraph A (rates for couples) for "118.40" and "91.75" there shall be substituted "121.60" and "94.20" respectively;

- (b) in paragraph B (rates for householders) for "77.00" and "59.65" there shall be substituted "79.10" and "61.25" respectively;
- (c) in paragraph 1 (rates for non-householders aged not less than 18 or less than 18 with a dependant) for "58.70" and "45.50" there shall be substituted "60.30" and "46.75" respectively;
- (d) in paragraph 2 (rates for non-householders aged less than 18 without a dependant) for "44.75" and "35.10" there shall be substituted "45.95" and "36.05" respectively;
- (e) in paragraph 3 (rates for dependants) for "33.45", "22.90", "17.25" and "7.60" there shall be substituted "34.35", "23.50", "17.70" and "7.75" respectively.

(10) In Schedule 3 (additional requirements) -

Subject to paragraph (11), 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 2(10) of these regulations shall have effect as if for the period 4th January 1999 to 10th April 1998 the amounts set out in that column were greater by £6.60.

Amendment of the Resources Regulations

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

(2) In regulation 10 (calculation of earnings) for paragraph (5A)(a) substitute -

- "(a) is in receipt of one or more of the following benefits under the Contributions and Benefits Act: attendance allowance, disability living allowance, short-term higher rate of incapacity benefit or severe disablement allowance;"

(3) In regulation 11(calculation of other income) -

- (a) for sub-paragraph (2)(h) substitute -

"(h) any allowance payable by or on behalf of a Department to or in respect of a member of the assessment unit for his maintenance for any period during which a course of training or instruction provided or approved by that department is being undertaken, less, in the case of a lone parent, the sum (up to a maximum of £60 per week) of any relevant child care charges, as defined in regulation 2A(2) of the Family Income Supplement (General) Regulations 1985.";

- (b) in the proviso at the end of sub-paragraph (5), in head (i) for "£20" substitute "£25".

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 I - Heating		
Paragraph 1 (ill-health) -		
sub-paragraph (1)	4.50	4.60
sub-paragraph (2)	11.25	11.55
sub-paragraph (3)	11.25	11.55
Paragraph 2 (home difficult to heat) -		
sub-paragraph (a)	4.50	4.60
sub-paragraph (b)	11.25	11.55
Paragraph 3 (central heating) -		
sub-paragraph (a)	4.50	4.60
sub-paragraph (b)	8.90	9.15
Paragraph 5 (estate heating) -		
sub-paragraph (a)	8.90	9.15
sub-paragraph (b)	17.75	18.25
Paragraph 6 (persons receiving certain disability benefits) -		
	11.25	11.55
Paragraph 7 (age-related) -		
sub-paragraph (a)	4.50	4.60
sub-paragraph (b)	4.50	4.60
sub-paragraph (c)	11.25	11.55
Paragraph 7A (miscellaneous) -		
	4.50	4.60
Part II - Items other than heating		
Paragraph 8 (in respect of age)		
	9.85	10.20
Paragraph 9A (mobility needs)		
	34.60	35.85
Paragraph 9B (carer)		
	13.35	13.65
Paragraph 10 (baths)		
	0.55	0.55

SCHEDULE 1 (continued)

COLUMN 1	COLUMN 2	COLUMN 3
Provision of Schedule 3 to the Requirements Regulations	Old Amount £	New Amount £
Part II - items other than heating (cont.)		
Paragraph 11 (blindness) -		
sub-paragraph (a)	20.10	20.65
sub-paragraph (b)	9.45	9.70
Paragraph 13 (diet) -		
sub-paragraph (a)	6.80	7.00
sub-paragraph (b)	3.10	3.20
sub-paragraph (c)	3.10	3.20
sub-paragraph (d)	19.30	19.80
Paragraph 17 (laundry)	1.10	1.15

Made 17th February 1998

Clare Christian
Minister for Health and Social Security

EXPLANATORY NOTE
(This note is not part of the Order)

1. These Regulations which come into force on 6th April 1998 amend -

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

 the Supplementary Benefit (Resources) Regulations 1981 ("the Resources Regulations").

2. (1) Regulation 1

This regulation deals with citation, commencement and interpretation.

(2) Regulation 2

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 regulations to provide for 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 £6.60 per week during the period 4 January 1999 to 10 April 1999. This increase is known as the "Winter Heating Supplement".

(3) Regulation 3

This regulation is concerned with amendments to the Resources Regulations.

Paragraph (1) introduces the amendments.

Paragraph (2) makes a technical amendment to the Regulations to allow for new benefits to be referred to following the replacement of mobility allowance and invalidity pension by disability living allowance and incapacity benefit.

Paragraph (3) makes two changes to the treatment of other income under the Supplementary Benefit provisions, the first to allow child minding costs for lone parents in receipt of a training allowance, and the second to increase the disregard of War Pensions from £20 to £25..