



Statutory Document No. 132/07

THE SOCIAL SECURITY ACT 2000

**THE SOCIAL SECURITY LEGISLATION
(APPLICATION) (AMENDMENT) ORDER 2007**

Approved by Tynwald 20th March 2007

Coming into operation in accordance with Article 1

In exercise of the powers conferred on the Department of Health and Social Security by section 1 of the Social Security Act 2000(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) (Amendment) Order 2007 and, subject to section 2(1) of the Social Security Act 2000, -

- (a) this Article shall come into force forthwith; and
- (b) Article 2 shall come into force on 1st April 2007.

Amendment of Schedule 3 to the Social Security Legislation (Application) (No. 4) Order 1995 (S.D. 123/95)

2. (1) Amend Schedule 3 to the Social Security Legislation (Application) (No. 4) Order 1995(b) (which sets out the Social Security (Incapacity) Regulations 1994(c) as they have effect in the Isle of Man) in accordance with the following paragraph.

(2) In regulation 16(d) (conditions as to residence or presence in the Isle of Man in relation to entitlement to incapacity benefit in respect of persons incapacitated in youth) -

- (a) in paragraph (1) for sub-paragraph (b) substitute -

“(b) he is not a person subject to immigration control within the meaning of section 150E(4) of the Contributions and Benefits Act or he is a person to whom paragraph (5) applies;” and

(a) 2000 c.5; (b) S.D. 123/95; (c) S.I. 1994/2946; (d) regulation 16 was inserted by regulation 2(5) of the Social Security (Incapacity Benefit) Miscellaneous Amendments Regulations 2000 (S.I. 2000/3120) (see Schedule 4 to S.D. 153/01).

- (b) in paragraph (5) –
- (i) in sub-paragraph (b) for “Great Britain” substitute “the Isle of Man”, and
 - (ii) in sub-paragraph (d) –
 - (aa) for “the United Kingdom” substitute “the Isle of Man”; and
 - (bb) for “the Secretary of State” substitute “the Lieutenant-Governor”.

Made 6th February 2007



Minister for Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

1. Article 1 provides for the citation and commencement of the Order. The Order shall come into force on 1st April 2007.
2. Article 2 amends the Social Security (Incapacity) Regulations 1994 (as they have effect in the Isle of Man) in relation to the residence or presence conditions in the Isle of Man a person must satisfy in order to qualify for incapacity benefit by virtue of their being a person incapacitated in youth. The changes make reference to the new provisions inserted into the Social Security Contributions and Benefits Act 1992 (as that Act has effect in the Isle of Man) setting out the circumstances in which persons subject to immigration control can and cannot qualify for certain social security benefits.