

Statutory Document No. 2015/0115



Social Security Act 2000

SOCIAL SECURITY ADMINISTRATION ACT 1992 (APPLICATION) (AMENDMENT) (NO. 3) ORDER 2015

Approved by Tynwald: 21 April 2015
Coming into Operation: 12 May 2015

The Treasury makes the following Order under section 1 of the *Social Security Act 2000*.

1 Title

This Order is the Social Security Administration Act 1992 (Application) (Amendment) (No. 3) Order 2015.

2 Commencement

If approved by Tynwald, this Order comes into operation on 12 May 2015¹.

3 Amendment of the Social Security Administration Act 1992 (Application) Order 1994

(1) The Schedule² to the Social Security Administration Act 1992 (Application) Order 1994³ is amended as follows.

(2) In the entry relating to section 71 (overpayments - general) for subsection (9)⁴ substitute —

☐(9) This subsection applies to a person (P) —

- (a) who has a partner; and
- (b) from whom an amount as mentioned in subsection (8) above is recoverable.

(9A) But subsection (9) above only applies to P if the recoverable amount is —

- (a) an income-related benefit; or

¹ Tynwald approval is required by section 2(1) of the Social Security Act 2000.

² The Schedule sets out the Social Security Administration Act 1992 (c.5) as it has effect in the Island.

³ SD 506/94.

⁴ Subsection (9) amended by SD 654/05.

- (b) an income-based jobseeker's allowance.
- (9B) If subsection (9) above applies to P, the recoverable amount may (without prejudice to any other method of recovery) be recovered, in accordance with regulations, by deduction from prescribed benefits payable to P's partner.
- (9C) In subsections (9) to (9B) above —
- “**partner**” means a person who is a member of the same couple as another person; and
- “**the recoverable amount**” means the amount referred to in subsection (9)(b) above. **22**.

MADE 11TH MARCH 2015

W E TEARE
Minister for the Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 71 of the Social Security Administration Act 1992 (as that Act of the UK Parliament has effect in the Island).

The effect of the change is that an overpayment of an income-related benefit or income-based jobseeker's allowance which is recoverable from a person may, without prejudice to any other method of recovery and in accordance with regulations, be recovered by making deductions from prescribed benefits payable to any partner that person has.