



SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (NO. 3) ORDER 2015

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Statutory Document No. 2015/0151



Social Security Act 2000

SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (NO. 3) ORDER 2015

Approved by Tynwald: 19 May 2015
Coming into Operation: 1 June 2015

The Treasury makes the following Order under sections 1(1) to (3), (4)(b) and (5)(c) and 1A of the *Social Security Act 2000*.

1 Title

This Order is the Social Security Legislation (Benefits) (Application) (No. 3) Order 2015.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 June 2015¹.

3 Interpretation

- (1) In this Order “**the applied legislation**” means —
- (a) the Guardian’s Allowance Up-rating Order 2015²;
 - (b) the Social Security Benefits Up-rating Order 2015³;
 - (c) the Social Security Benefits Up-rating Regulations 2015⁴; and
 - (d) the Guardian’s Allowance Up-rating Regulations 2015⁵.
- (2) Unless the context otherwise requires or it is expressly provided, a reference in the applied legislation to a provision of any such legislation or of any other legislation applied to the Island by an order under section 1 of the *Pension Schemes Act 1995* or section 1 of the *Social Security Act 2000* shall be construed as a reference to that legislation as it has effect in the Island.

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

² S.I. 2015/439.

³ S.I. 2015/457.

⁴ S.I. 2015/496.

⁵ S.I. 2015/545.

4 Effect

- (1) The applied legislation has effect in accordance with the following paragraphs.
- (2) The Guardian's Allowance Up-rating Order 2015 shall be deemed to have had effect from 6 April 2015.
- (3) Subject to paragraph (4), the Social Security Benefits Up-rating Order 2015 shall be deemed to have had effect for the purposes of —
 - (a) articles 1, 2 and 6 of that Order, from 1 April 2015;
 - (b) article 3 of that Order —
 - (i) insofar as it relates to any increase to which article 6(9)(b) of that Order applies, from 1 April 2015, and
 - (ii) for all other purposes, from 6 April 2015;
 - (c) articles 4, 5, 8, 9 and 13 of that Order, from 6 April 2015;
 - (d) article 7 of that Order, insofar as it relates to a particular beneficiary, from the first day of the first benefit week to commence for that beneficiary on or after 1 April 2015, and for the purpose of this sub-paragraph "benefit week" has the same meaning as in regulation 2(1) of the Social Security Benefit (Computation of Earnings) Regulations 1996⁶ (as they have effect in the Island⁷);
 - (e) articles 11 and 12 of that Order, from 9 April 2015;
 - (f) article 19A of that Order, insofar as it relates to a particular beneficiary, from the first day of the first benefit week to commence for that beneficiary on or after 6 April 2015, and for the purpose of this sub-paragraph "benefit week" has the same meaning as in the Jobseeker's Allowance Regulations 1996⁸ (as they have effect in the Island⁹); and
 - (g) article 25 of that Order, from 5 May 2015.
- (4) The changes made by the Social Security Benefits Up-rating Order 2015 in the sums specified for rates or amounts of benefit under the Social Security Contributions and Benefits Act 1992¹⁰ or the Pension Schemes Act 1993¹¹ (as those Acts of Parliament have effect in the Island¹²) shall be deemed to have taken effect for each case on the date specified in relation to that case in article 6 of that Order.

⁶ S.I. 1996/2745.

⁷ See SD 123/00.

⁸ S.I. 1996/207.

⁹ See SD 634/96.

¹⁰ 1992 c.4.

¹¹ 1993 c.48.

¹² See SDs 505/94 and 531/95.

- (5) The Social Security Benefits Up-rating Regulations 2015 shall be deemed to have had effect from 6 April 2015.
- (6) The Guardian's Allowance Up-rating Regulations 2015 shall be deemed to have had effect from 6 April 2015.

5 Application to the Island of the applied legislation

- (1) The applied legislation, incorporating the exceptions, adaptations and modifications subject to which it applies to the Island, is set out in the Schedules and applies to the Island as part of the law of the Island.
- (2) The applied legislation mentioned in —
 - (a) article 3(1)(a) is set out in Schedule 1;
 - (b) article 3(1)(b) is set out in Schedule 2;
 - (c) article 3(1)(c) is set out in Schedule 3; and
 - (d) article 3(1)(d) is set out in Schedule 4.

MADE **15TH APRIL 2015**

W E TEARE
Minister for the Treasury

SCHEDULE 1

[Article 5(2)(a)]

This Schedule sets out the text of the Guardian's Allowance Up-rating Order 2015 (S.I. 2015/439) as applied by this Order, with such exceptions, adaptations and modifications made where necessary, which appear in *bold italic* type.

STATUTORY INSTRUMENTS

2015 No. 439

SOCIAL SECURITY

THE GUARDIAN'S ALLOWANCE UP-RATING ORDER 2015

Made - - - - - *2nd March 2015*

Coming into force - - - - - *6th April 2015*

Following a review in the tax year ending with 5th April 2015 of the sum specified in section 150(1)(a)(i) of the Social Security Administration Act 1992 ("the 1992 Act") (annual up-rating of benefits) the Treasury have determined that the general level of prices in Great Britain is greater at the end of the period under review than it was at the beginning.

A draft of this Order has been laid before and approved by a resolution of each House of Parliament in accordance with sections 150(2)(a) and 190(1)(a) of the 1992 Act.

The Treasury make this Order in exercise of the powers conferred by sections 150(9) and (10)(a)(i) and 189(4) of the 1992 Act and now vested in them.

1. Citation [...]

This Order may be cited as the Guardian's Allowance Up-rating Order 2015 [...].

2. Amendment of Schedule 4 to the Social Security Contributions and Benefits Act 1992

In paragraph 5 of Part 3 of Schedule 4 to the Social Security Contributions and Benefits Act 1992¹³ (weekly rate of guardian's allowance) for "£16.35" substitute "£16.55".

Alun Cairns
David Evennett

Two of the Lords Commissioners of Her Majesty's Treasury

2nd March 2015

¹³ 1992 c.4. Paragraph 5 last amended by S.I. 2014/828 (see SD 2014/0180).

SCHEDULE 2

[Article 5(2)(b)]

This Schedule sets out the text of the Social Security Benefits Up-rating Order 2015 (S.I. 2015/457) as applied by this Order, with such exceptions, adaptations and modifications made where necessary, which appear in *bold italic* type.

STATUTORY INSTRUMENTS

2015 No. 457**SOCIAL SECURITY****THE SOCIAL SECURITY BENEFITS UP-RATING ORDER 2015**

Made - - - - *3rd March 2015*

Coming into force in accordance with Article 1

CONTENTS**PART 1****INTRODUCTION**

1. Citation [...]
2. Interpretation

PART 2**SOCIAL SECURITY BENEFITS AND PENSIONS**

3. Rates or amounts of certain benefits under the Contributions and Benefits Act
4. Increase in rates or amounts of certain pensions and allowances under the Contributions and Benefits Act
5. Increase in rates or amount of certain benefits under the Pension Schemes Act
6. Dates on which sums specified for rates or amounts of benefits under the Contributions and Benefits Act or the Pension Schemes Act are changed by this Order
7. Earnings Limits
8. Increase in rate of graduated retirement benefit
9. Increase in rates of Disability Living Allowance
10. *Omitted*
11. Rates of age addition
12. Rates of transitional invalidity allowance

13. Rates of bereavement benefits

PART 3

INCOME SUPPORT AND HOUSING BENEFIT

14. to 18. *Omitted*

PART 4

JOBSEEKER'S ALLOWANCE

19. *Omitted*

19A. *Increase in age-related amounts of contribution-based jobseeker's allowance*

20. *Omitted*

PART 5

STATE PENSION CREDIT

21. *Omitted*

PART 6

EMPLOYMENT AND SUPPORT ALLOWANCE

22. and 23. *Omitted*

PART 7

UNIVERSAL CREDIT

24. *Omitted*

PART 8

REVOCATION

25. Revocation

SCHEDULE 1 — PROVISIONS OF SCHEDULE 4 TO THE
CONTRIBUTIONS AND BENEFITS ACT
AS AMENDED BY THIS ORDER

SCHEDULES 2 TO 17 — *Omitted*

The Secretary of State for Work and Pensions has made a review as required by section 150(1) of the Social Security Administration Act 1992 and it appeared to the Secretary of State that the general level of prices was greater at the end of the period under review than it was at the beginning of the period.

The Secretary of State for Work and Pensions has also made a review as required by section 150A(1) of that Act and it appeared to the Secretary of State that the general level of earnings was greater at the end of the period under review than it was at the beginning of the period.

A draft of this Order was laid before Parliament in accordance with sections 150(2), 150A(2) and 190(1)(a) of that Act, and approved by a resolution of each House.

The Treasury has consented to the making of this Order.

Accordingly, the Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 150, 150A, 151 and 189(1), (4) and (5) of the Social Security Administration Act 1992, makes the following Order.

PART 1

INTRODUCTION

1. Citation [...]

(1) This Order may be cited as the Social Security Benefits Up-rating Order 2015.

(2) to (4) *Omitted.*

2. Interpretation

In this Order —

“the Administration Act” means the Social Security Administration Act 1992¹⁴;

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations 1996¹⁵;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992¹⁶;

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996¹⁷; *and*

“the Pension Schemes Act” means the Pension Schemes Act 1993¹⁸.

PART 2

SOCIAL SECURITY BENEFITS AND PENSIONS

3. Rates or amounts of certain benefits under the Contributions and Benefits Act

(1) From and including the respective dates specified in article 6, the sums specified in paragraph (2) shall be increased so that Schedule 4 to the Contributions and Benefits Act (contributory periodical benefits, non-contributory periodical benefits, increases for dependants and rates of industrial injuries benefit), except *the provisions in that Schedule specified in paragraph (1A)*, has effect as set out in Schedule 1 to this Order.

¹⁴ 1992 c.5 (see SD 506/94).

¹⁵ S.I. 1996/2745 (see SD 123/00).

¹⁶ 1992 c.4 (see SD 505/94)

¹⁷ S.I. 1996/207 (see SD 634/96).

¹⁸ 1993 c.48 (see SD 531/95).

(1A) Those provisions are —

- (a) *in Part I (contributory periodical benefits) —*
 - (i) *paragraph 4 (maternity allowance),*
 - (ii) *paragraph 4A (adoption allowance), and*
 - (iii) *paragraph 6 (child’s special allowance); and*
- (b) *in Part III (non-contributory periodical benefits) —*
 - (i) *paragraph 1 (attendance allowance),*
 - (ii) *paragraph 4 (carer’s allowance), and*
 - (ii) *paragraph 5 (guardian’s allowance).*

(2) The sums mentioned in paragraph (1) are the sums specified in Parts I, III, IV and V of Schedule 4 to the Contributions and Benefits Act except, in —

- (a) *omitted;*
- (b) Part IV, the sums specified in column (2) (increase for qualifying child); and
- (c) Part V, the sums specified for the increase in disablement pension for dependent children, widow’s pension (initial rate) and death benefit allowance in respect of children and qualifying young persons¹⁹.

4. Increase in rates or amounts of certain pensions and allowances under the Contributions and Benefits Act

(1) The sums specified in paragraphs (2) to (5) shall be increased from and including the respective dates specified in article 6.

(2) The sums falling to be calculated under paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (calculation of weekly rate of a beneficiary’s retirement allowance) shall be increased by 1.2 per cent.

(3) In section 44(4) of the Contributions and Benefits Act²⁰ (basic pension in a Category A retirement pension) —

- (a) for “£99.90” substitute “£101.10”; and
- (b) for “£113.10” substitute “£115.95”.

(4) [...] *The* sums which are —

- (a) additional pensions in long-term benefits calculated by reference to any final relevant year earlier than the tax year 2014-2015;
- (b) increases in the rates of retirement pensions under Schedule 5 to the Contributions and Benefits Act²¹ (pension increase or lump sum where entitlement to retirement pension is deferred);

¹⁹ Part V of Schedule 4 to the Contributions and Benefits Act was amended by paragraph 15 of Schedule 1 to the Child Benefit Act 2005 (c. 6) (“the 2005 Act”) (see SD 29/07).

²⁰ Section 44(4) was substituted by section 68 of the Social Security Act 1998 (c.14) (see SD 92/00).

²¹ Schedule 5 was amended by paragraph 42 of Schedule 8 to the Pension Schemes Act 1993 (c.48) (see SD 531/95), paragraph 40 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c.14) (see SD 508/94), paragraphs 6 and 21 of Schedule 4, and Schedule 7, to the Pensions Act 1995 (c.26) (see SD 501/97), section 39 of the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the 2000 Act”) (SD 378/01), Schedule 6 to the Tax Credits Act 2002 (c.21) (“the Tax Credits Act”) (see SD 120/03),

- (c) lump sums to which surviving spouses or civil partners will become entitled under paragraph 7A of that Schedule²² on becoming entitled to a Category A or Category B retirement pension (entitlement to lump sum where pensioner's deceased spouse or civil partner has deferred entitlement); and
- (d) payable to a pensioner as part of their Category A or Category B retirement pension by virtue of an order made under [...] section 150(1)(e)(ii) of the Administration Act (*as that section has effect in Great Britain*) computed as if *that person were in Great Britain*,

shall in each case be increased by 1.2 per cent.

(5) The sums which, under —

- (a) section 55A of the Contributions and Benefits Act²³, are shared additional pensions; and
- (b) paragraph 2 of Schedule 5A to the Contributions and Benefits Act²⁴, are increases in the rates of such pensions,

shall in each case be increased by 1.2 per cent.

5. Increase in rates or amount of certain benefits under the Pension Schemes Act

(1) [...] *The* sums specified in paragraph (2) shall be increased from and including the respective dates specified in article 6.

(2) Sums which are payable by virtue of section 15(1) of the Pension Schemes Act (which provides for increases in a person's guaranteed minimum pension if payment of their occupational pension is postponed after they attain pensionable age) to a person who is also entitled to a Category A or Category B retirement pension (including sums payable by virtue of section 17(2) and (3) of that Act) shall be increased by 1.2 per cent. where the increase under section 15(1) is attributable to earnings factors for the tax year 1987-88 and earlier tax years²⁵.

6. Dates on which sums specified for rates or amounts of benefits under the Contributions and Benefits Act or the Pension Schemes Act are changed by this Order

(1) Paragraphs (2) to (8), which are subject to the provisions of paragraph (9), specify the date on which the changes made by this Order in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act shall *be deemed to have taken* effect for each case.

(2) Any increases in the sums mentioned in articles 3, 4 and 8 for Category A and Category B retirement pension and graduated retirement benefit together with, where appropriate, any increases for dependants, shall *be deemed to have taken* effect on 6th April 2015.

(3) The increases in the sums mentioned in article 5(2) shall *be deemed to have taken* effect on 6th April 2015.

(4) Any increases in the sums specified for—

paragraphs 2 to 14 of Schedule 11 to the Pensions Act 2004 (c. 35) (see SD 68/05), paragraphs 19 and 20 of Schedule 1, and Schedule 7, to the Pensions Act 2007 (see SD 193/09) and S.I. 2005/2053 (see SD 655/05).

²² Paragraph 7A was inserted by paragraph 11 of Schedule 11 to the Pensions Act 2004 (c.35) (see SD 68/05) and amended by paragraph 5(11) of the Schedule to S.I. 2005/2053 (see SD 655/05).

²³ Section 55A was inserted by paragraph 3 of Schedule 6 to the Welfare Reform and Pensions Act 1999 c.30 ("the 1999 Act") (see SD 600/00) and amended by section 41(3) of the 2000 Act.

²⁴ Schedule 5A was inserted by paragraph 15 of Schedule 11 to the Pensions Act 2004 (see SD 68/05).

²⁵ Section 17(2) was amended by paragraph 4(b) of Schedule 1 to SI 2005/2050 (see SD 744/05).

- (a) the rate of —
 - (i) Category C and Category D retirement pension,
 - (ii) *omitted*,
 - (iii) *omitted*;
- (b) any increases in —
 - (i) Category C retirement pension [...] referred to in sub-paragraph (a)(i) [...], and
 - (ii) widowed mother's allowance and widowed parent's allowance,
in respect of dependants,

shall in all cases ***be deemed to have taken*** effect on 6th April 2015.

(5) Any increases in the sums specified for—

- (a) the rate of —
 - (i) *omitted*,
 - (ii) disablement benefit,
 - (iii) maximum disablement gratuity under paragraph 9(2) of Schedule 7 to the Contributions and Benefits Act,
 - (iv) industrial death benefit by way of widow's and widower's pension,
 - (v) the maximum of the aggregate of weekly benefit payable for successive accidents, under section 107(1) of the Contributions and Benefits Act; and
- (b) any increases in —
 - (i) the benefits referred to in heads [...] (iii) and (iv) of sub-paragraph (a) in respect of dependants, and
 - (ii) disablement pension,

shall in all cases ***be deemed to have taken*** effect on 8th April 2015.

(6) In any case where a person's weekly rate of Category A or Category B retirement pension falls to be increased under the provisions of section 47(1) or 48C(2) of the Contributions and Benefits Act²⁶ by reference to the weekly rate of invalidity allowance or age addition to long-term incapacity benefit to which he was previously entitled, any increase in such sum shall ***be deemed to have taken*** effect on 6th April 2015.

(7) The changes in the sums specified for the rate of incapacity benefit and severe disablement allowance together with, where appropriate, any increases for dependants, shall ***be deemed to have taken*** effect in all cases on 9th April 2015.

(8) The increases in the sums falling to be calculated in accordance with paragraph 13(4) of Schedule 7 to the Contributions and Benefits Act (retirement allowance) shall ***be deemed to have taken*** effect on 8th April 2015.

²⁶ Section 47(1) was amended by paragraph 13 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c.14) ("the 1994 Act") (see SD 508/94). Section 48C was inserted by paragraph 3 of Schedule 4 to the Pensions Act 1995 and amended by S.I. 2005/2053 (see SD 655/05).

(9) Any increases in the sums specified in *articles 3 [...] and 19A(c) [...]* insofar as those sums are relevant for the purposes of establishing whether the rate of any benefit is not to be increased in respect of an adult dependant because the earnings of the dependant exceed a specified amount²⁷, shall **be deemed to have taken** effect —

- (a) except in a case where sub-paragraph (b) applies, on the first day of the first benefit week **which commenced** for the beneficiary on or after 6th April 2015;
- (b) in a case where regulation 7(b) of the Computation of Earnings Regulations (date on which earnings are treated as paid) applies, on the first day of the first benefit week **which commenced** for the beneficiary on or after 1st April 2015,

and for the purpose of this paragraph, “benefit week” has the same meaning as in regulation 2(1) of the Computation of Earnings Regulations.

7. Earnings Limits

In section 80(4) of the Contributions and Benefits Act²⁸ (earnings limits in respect of child dependency increases)—

- (a) for “£225.00”, in both places where it occurs, substitute “£230.00”; and
- (b) “£30.00” remains unchanged.

8. Increase in rate of graduated retirement benefit

(1) In section 35(1) of the National Insurance (*Isle of Man*) Act 1971²⁹ (graduated retirement benefit)—

- (a) the sum of 13.14 pence shall be increased by 1.2 per cent.; and
- (b) from and including 6th April 2015 the reference in that provision to that sum shall **be deemed to have had** effect as a reference to 13.30 pence.

(2) The sums which are the increases of graduated retirement benefit under Schedule 2 to the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978³⁰ (increases for deferred retirement) shall be increased by 1.2 per cent.

(3) The sums which are lump sums to which surviving spouses or civil partners will become entitled under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005³¹ (increases of graduated retirement benefit and lump sums) shall be increased by 1.2 per cent.

(4) The sums which are the additions under section 36(1) of the National Insurance (*Isle of Man*) Act 1971 (additions for widows and widowers) shall be increased by 1.2 per cent.

²⁷ See section 82(3)(a) of the Contributions and Benefits Act, regulations 8 and 10(2) of, and paragraph 7 of Schedule 2 to, the Social Security Benefit (Dependency) Regulations 1977 (S.I. 1977/343) (“the 1977 Regulations”) and regulation 10 of the Social Security (Incapacity Benefit-Increases for Dependants) Regulations 1994 (S.I. 1994/2945) (see SD 123/95).

²⁸ Section 80 was repealed by Schedule 6 to the Tax Credits Act. Article 3 of S.I. 2003/938 (see SD 355/03) saves the repealed provision in certain circumstances.

²⁹ 1971 c.29. Sections 35 and 36 were repealed by the Social Security (Consequential Provisions) Act 1975 c.18 (see modified Schedule 1 to that Act as it has effect in the Island by virtue of GC 154/75) but are continued in force by regulation 3 of the Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978 (S.I. 1978/393 see GC 17/79) in the modified form set out in Schedule 1 to those Regulations.

³⁰ S.I. 1978/393 (see GC 17/79).

³¹ S.I. 2005/454 (see SD 438/05)

9. Increase in rates of Disability Living Allowance

In regulation 4 of the Social Security (Disability Living Allowance) Regulations 1991³² (rate of benefit) —

(a) to (c) *omitted*;

(d) in paragraph (2)(a)³³ for “£54.10” substitute “£54.80”;

(e) *omitted*.

10. Increase in rates of Personal Independence Payment

Omitted.

11. Rates of age addition

(1) Subject to paragraph (2), in regulation 10(2) of the Social Security (Incapacity Benefit) Regulations 1994³⁴ (increase in rate of incapacity benefit where beneficiary is under prescribed age on the qualifying date) —

(a) in sub-paragraph (a) for “£21.25” substitute “£21.50”; and

(b) in sub-paragraph (b) for “£10.65” substitute “£10.80”.

(2) In the case of a claimant entitled to long-term incapacity benefit the sums specified in regulation 10(2)(a) and (b) shall be increased to “£11.15” and “£6.20” respectively.

12. Rates of transitional invalidity allowance

(1) Subject to paragraph (2), in regulation 18(2) of the Social Security (Incapacity Benefit) (Transitional) Regulations 1995³⁵ (rate of long-term incapacity benefit in transitional cases) —

(a) in sub-paragraph (a) for “£21.25” substitute “£21.50”;

(b) in sub-paragraph (b) for “£13.70” substitute “£13.90”; and

(c) in sub-paragraph (c) for “£6.85” substitute “£6.95”.

(2) In the case of a claimant entitled to long-term incapacity benefit the sums specified in regulation 18(2)(a), (b) and (c) shall be increased to “£11.15”, “£6.20” and “£6.20” respectively.

13. Rates of bereavement benefits

In the Rate of Bereavement Benefits Regulations 2010³⁶ —

(a) in regulation 2 (rate of widowed mother’s allowance and widow’s pension) for “£111.20” substitute “£112.55”; and

(b) in regulation 3 (rate of widowed parent’s allowance and bereavement allowance) for “£111.20” substitute “£112.55”.

PART 3

INCOME SUPPORT AND HOUSING BENEFIT

14 to 18. *Omitted.*

³² S.I. 1991/2890 (see GC 129/92).

³³ Figure in paragraph (2)(a) last amended by article 9 of S.I. 2014/516 (see SD 2014/0180).

³⁴ S.I. 1994/2946 (see SD 123/95).

³⁵ S.I. 1995/310 (see SD 123/95).

³⁶ S.I. 2010/2818 (see SD 436/11).

PART 4

JOBSEEKER'S ALLOWANCE

19. *Omitted.*

19A. *Increase in age-related amounts of contribution-based jobseeker's allowance*

In regulation 79(1) of the Jobseeker's Allowance Regulations³⁷ (weekly amounts of contribution-based jobseeker's allowance) —

- (a) in sub-paragraph (a) for "£57.35" substitute "£57.90";*
- (b) in sub-paragraph (b) for "£57.35" substitute "£57.90"; and*
- (c) in sub-paragraph (c) for "£72.40" substitute "£73.10".*

20. *Omitted.*

PART 5

STATE PENSION CREDIT

21. *Omitted.*

PART 6

EMPLOYMENT AND SUPPORT ALLOWANCE

22. and 23. *Omitted.*

PART 7

UNIVERSAL CREDIT

24. *Omitted.*

PART 8

REVOCATION

25. **Revocation**

The Social Security Benefits Up-rating Order 2014³⁸ is revoked.

Signed by authority of the Secretary of State for Work and Pensions.

Steve Webb
Minister of State,
Department for Work and Pensions

2nd March 2015

We consent

Mark Lancaster

³⁷ Figures in regulation 79(1) last amended by S.I. 2014/516 (see SD 2014/0180).

³⁸ S.I. 2014/516 (see SD 2014/0180).

Gavin Barwell
Two of the Lords Commissioners of Her Majesty's Treasury

3rd March 2015

SCHEDULE 1

Article 3(1)

PROVISIONS OF SCHEDULE 4 TO THE CONTRIBUTIONS AND BENEFITS ACT
AS AMENDED BY THIS ORDERPART I³⁹

CONTRIBUTORY PERIODICAL BENEFITS

<i>Description of benefit</i>	<i>Weekly rate</i>
2. Short-term incapacity benefit.	(a) lower rate £79.45 (b) higher rate £94.05
2A. Long-term incapacity benefit.	£105.35
5. Category B retirement pension where section 48A(3) applies.	£69.50

PART II

BEREAVEMENT PAYMENT

Bereavement payment ⁴⁰ .	£2,000.00.
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PART III

NON-CONTRIBUTORY PERIODICAL BENEFITS

<i>Description of benefit</i>	<i>Weekly rate</i>
1. Omitted.	Omitted
2. Severe disablement allowance.	£74.65
3. Age related addition.	(a) higher rate £11.15 (b) middle rate £6.20 (c) lower rate £6.20 (the appropriate rate being determined in accordance with section 69(1)).

³⁹ Paragraph 2 was substituted, and paragraph 2A was inserted, by section 2(2) of the 1994 Act. Paragraph 5 was amended by paragraph 21 of Schedule 4 to the Pensions Act 1995 c. 26 (see SD 501/97).

⁴⁰ Part II was substituted by section 54(2) of the 1999 Act.

4.	<i>Omitted.</i>	<i>Omitted</i>
6.	Category C retirement pension.	(a) lower rate £41.50 (b) higher rate £69.50 (the appropriate rate being determined in accordance with section 78(5)).
7.	Category D retirement pension.	The higher rate for Category C retirement pensions under paragraph 6 above.
8.	<i>Omitted.</i>	<i>Omitted.</i>

PART IV

INCREASES FOR DEPENDANTS

<i>Benefit to which increase applies (1)⁴¹</i>	<i>Increase for qualifying child (2)</i>	<i>Increase for adult dependant (3)</i>
	£	£
1A. Short-term incapacity benefit ⁴² —		
(a) where the beneficiary is under pensionable age;	11.35	47.65
(b) where the beneficiary is over pensionable age.	11.35	58.90
2. Long-term incapacity benefit.	11.35	61.20
4. Widowed mother's allowance.	11.35	—
4A. Widowed parent's allowance ⁴³ .	11.35	—
5. Category A or B retirement pension.	11.35	65.70
6. Category C retirement pension.	11.35	39.30

⁴¹ The entries relating to widowed mother's allowance and widowed parent's allowance in column (1) and the increase for a qualifying child in column (2) were repealed by section 60 of, and Schedule 6 to, the Tax Credits Act (see SD 123/03. Articles 3 and 4 of S.I. 2003/938 (see SD 355/03) save the repealed provisions in certain circumstances.

⁴² Paragraph 1A was inserted, and paragraph 2 substituted, by section 2(6) of the 1994 Act.

⁴³ Paragraph 4A was inserted by paragraph 14 of Schedule 8 to the 1999 Act.

8.	Severe disablement allowance.	11.35	36.75
9.	Carer's allowance.	11.35	36.55

PART V

RATES OF INDUSTRIAL INJURIES BENEFIT

<i>Description of benefit, etc.</i>	<i>Rate</i>	
1. Disablement pension (weekly rates).	For the several degrees of disablement set out in column (1) of the following Table, the respective amounts in column (2) of that Table ⁴⁴ .	
	TABLE	
	<i>Degree of Disablement</i>	<i>Amount</i>
	(1)	(2)
	<i>Per cent.</i>	£
	100	168.00
	90	151.20
	80	134.40
	70	117.60
	60	100.80
	50	84.00
	40	67.20
	30	50.40
	20	33.60
2. Maximum increase of weekly rate of disablement pension where constant attendance needed.	(a) except in cases of exceptionally severe disablement	£67.20;

⁴⁴ This entry was amended by section 65(2) of the Welfare Reform Act 2012 c.5.

	(b)	in any case	£134.40.
3.		Increase of weekly rate of disablement pension (exceptionally severe disablement).	£67.20.
4.		Maximum of aggregate of weekly benefit payable for successive accidents ⁴⁵ .	£168.00.
5.		Unemployability supplement under paragraph 2 of Schedule 7.	£103.85.
6.	(a)	if on the qualifying date the beneficiary was under the age of 35 or if that date fell before 5 th July 1948	£21.50;
	(b)	if head (a) above does not apply and on the qualifying date the beneficiary was under the age of 40 and he had not attained pensionable age before 6th April 1979	£21.50;
	(c)	if heads (a) and (b) above do not apply and on the qualifying date the beneficiary was under the age of 45	£13.90;
	(d)	if heads (a), (b) and (c) above do not apply and on the qualifying date the beneficiary was under the age of	£13.90;

⁴⁵ This entry was amended by section 65(3) of the Welfare Reform Act 2012 c.5.

SCHEDULE 2

	50 and had not attained pensionable age before 6th April 1979	
	(e) in any other case	£6.95.
7.	Increase under paragraph 4 of Schedule 7 of weekly rate of disablement pension.	£11.35.
8.	Increase under paragraph 6 of Schedule 7 of weekly rate of disablement pension.	£62.10.
9.	Maximum disablement gratuity under paragraph 9 of Schedule 7.	£11,150.00.
10.	Widow's pension (weekly rates).	(a) initial rate ⁴⁶ £57.65; (b) higher permanent rate £115.95; (c) lower permanent rate 30 per cent of the first sum specified in section 44(4) (Category A basic retirement pension) (the appropriate rate being determined in accordance with paragraph 16 of Schedule 7).
11.	Widower's pension (weekly rate).	£115.95.
12.	Weekly rate of allowance in respect of children and qualifying young persons ⁴⁷ under paragraph 18 of Schedule 7.	In respect of each child or qualifying young person £11.35.

⁴⁶ Widow's pension is payable in relation only to deaths occurring before 11th April 1988 (paragraph 14(1) of Schedule 7 to the Contributions and Benefits Act). The initial rate relates only to the period of 26 weeks following the date of the deceased's death (paragraph 16(1) of that Schedule). The rate stated is therefore the rate applicable for the 26 weeks following 10th April 1988.

⁴⁷ Paragraph 12 was amended by paragraph 15(3) of Schedule 1 to the 2005 Act which inserted the words "and qualifying young persons" and substituted the words "child or qualifying young person".



SCHEDULES 2 TO 17

Omitted.

SCHEDULE 3

[Article 5(2)(c)]

This Schedule sets out the text of the Social Security Benefits Up-rating Regulations 2015 (S.I. 2015/496) as applied by this Order, with such exceptions, adaptations and modifications made where necessary, which appear in *bold italic* type.

STATUTORY INSTRUMENTS

2015 No. 496**SOCIAL SECURITY**

THE SOCIAL SECURITY BENEFITS UP-RATING REGULATIONS 2015

Made - - - - - *4th March 2015*

Laid before Parliament *9th March 2015*

Coming into force - - - - - *6th April 2015*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 90, 113(1), 122(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992 and sections 5(1)(p), 155(3), 189(1) and (4) and 191 of the Social Security Administration Act 1992.

These Regulations contain only provisions in consequence of an order under sections 150 and 150A of the Social Security Administration Act 1992.

1. Citation [...] and interpretation

(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations 2015 [...].

(2) In these Regulations, “the Up-rating *Order*” means the Social Security Benefits Up-rating Order 2015⁴⁸ [...].

2. Exceptions relating to payment of additional benefit by virtue of the Up-rating Order

Section 155(3) of the Social Security Administration Act 1992 (effect of alteration of rates of benefit under Parts 2 to 5, **12ZA and 12ZB** of the Social Security Contributions and Benefits Act 1992) shall not apply if a question arises as to either —

- (a) the weekly rate at which the benefit is payable by virtue of the Up-rating *Order*,
or
- (b) whether the conditions for receipt of the benefit at the altered rate are satisfied,

⁴⁸ SI 2015/457.

until that question has been determined in accordance with the provisions of the Social Security Act 1998⁴⁹.

3. Persons not ordinarily resident in *the Island*

Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975⁵⁰ (application of disqualification in respect of up-rating of benefit) shall apply to any additional benefit payable by virtue of the Up-rating *Order*.

4. Amendment of the Social Security Benefit (Dependency) Regulations 1977

In paragraph 2B of Schedule 2 to the Social Security Benefit (Dependency) Regulations 1977⁵¹ (increase of carer's allowance for child dependants) for "£225", in both places where it occurs, substitute "£230".

5. Amendment of the Social Security (Claims and Payments) Regulations 1987

Omitted.

6. Revocation

The Social Security Benefits Up-rating Regulations 2014⁵² are revoked.

Signed by authority of the Secretary of State for Work and Pensions.

Steve Webb
Minister of State,
Department for Work and Pensions

4th March 2015

⁴⁹ 1998 c.14 (see SD 92/00).

⁵⁰ S.I. 1975/563 (see GC 156/75).

⁵¹ S.I. 1977/343 (see GC 187/77). Paragraph 2B was inserted by SI 1984/1699 (see SD 273/85).

⁵² S.I. 2014/618 (see SD 2014/0180).

SCHEDULE 4

[Article 5(2)(d)]

This Schedule sets out the text of the Guardian's Allowance Up-rating Regulations 2015 (S.I. 2015/545) as applied by this Order, with such exceptions, adaptations and modifications made where necessary, which appear in *bold italic* type.

STATUTORY INSTRUMENTS

2015 No. 545

SOCIAL SECURITY

THE GUARDIAN'S ALLOWANCE UP-RATING REGULATIONS 2015

<i>Made</i>	-	-	-	-	<i>5th March 2015</i>
<i>Laid before Parliament</i>					<i>6th March 2015</i>
<i>Coming into force</i>	-	-			<i>6th April 2015</i>

The Commissioners for Her Majesty's Revenue and Customs make the following Regulations in exercise of the powers conferred by sections 113(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992, section 155(3), 189(1), (4) and (5), 190 and 191 of the Social Security Administration Act 1992, sections 113(1) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 and sections 135(3), 165(1), (4) and (5) and 167(1) of the Social Security Administration (Northern Ireland) Act 1992 and now vested in them.

1. Citation [...] and interpretation

(1) These Regulations may be cited as the Guardian's Allowance Up-rating Regulations 2015 [...].

(2) In these Regulations "the Up-rating **Order**" means the Guardian's Allowance Up-rating Order 2015⁵³[...].

2. Exceptions relating to payments of allowance by virtue of the Up-rating Order

[...] Section 155(3) of the Social Security Administration Act 1992 [...] shall not apply if a **question** arises as to either —

- (a) the weekly rate at which guardian's allowance is payable by virtue of [...] the Up-rating **Order**, or
- (b) whether the conditions for receipt of that allowance at the altered rate are satisfied,

⁵³ S.I. 2015/439.

until that question has been *finally* determined in accordance with [...] the Social Security Act 1998⁵⁴ [...].

3. Persons not ordinarily resident in *the Island*

Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975⁵⁵ [...] (application of disqualification in respect of up-rating of benefit) shall apply to any additional benefit payable by virtue of [...] the Up-rating *Order*.

*Nick Lodge
Jennie Granger*

Two of the Commissioners for Her Majesty's Revenue and Customs

5th March 2015

⁵⁴ 1998 c.14 (see SD 92/00).

⁵⁵ S.I. 1975/563 (see GC 156/75).

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

Section 1 of the Social Security Act 2000 (of Tynwald) enables the Treasury by Order to apply to the Island, as part of the law of the Island and incorporating such exceptions, adaptations and modifications as may be specified by the Order, any legislation to which that section applies.

Section 1 of that Act applies to (inter alia) the Social Security Contributions and Benefits Act 1992 (“the Contributions and Benefits Act”) and the Social Security Administration Act 1992 (“the Administration Act”) and to any statutory instrument made or having effect as if made under either of those Acts of the UK Parliament.

This Order applies to the Island the legislation referred to in article 3(1) of the Order, the provisions of which are summarised in the following paragraphs.

The four statutory instruments comprising the applied legislation relate to the up-rating of social security benefits falling within the scope of the reciprocal agreement on social security between the Isle of Man and United Kingdom Governments and the earnings limits which apply to child dependency increases for certain of those benefits. The applied legislation is deemed to have come into operation on the same day as the corresponding provisions came into operation in Great Britain.

Guardian’s Allowance Up-rating Order 2015 (S.I. 2015/439)

This Order increases the weekly rate of guardian’s allowance prescribed by paragraph 5 of Part 3 of Schedule 4 to the Social Security Contributions and Benefits Act 1992 (as it has effect in the Island) from £16.35 to £16.55 from 6 April 2015.

Social Security Benefits Up-rating Order 2015 (S.I. 2015/457) (articles 1 to 9, 11 to 13, 19A (as inserted), 25 and Schedule 1 only)

This Order (“the Up-rating Order”) as applied to the Island alters the rates and amounts of certain benefits and other sums which fall within the scope of the reciprocal agreement on social security between the Isle of Man and the United Kingdom Governments.

The Up-rating Order was made as a consequence of a review by the Secretary of State for Work and Pensions of the rates of certain benefits, etc. then payable in order to determine whether they had retained their value in relation to the general level of prices in Great Britain under section 150 of the Social Security Administration Act 1992 (as that Act has effect in Great Britain). The Up-rating Order was also made as a consequence of a review under section 150A of that Act (as it has effect in Great Britain) of the amount of the basic pension and other related benefits in order to determine whether they had retained their value in relation to the general level of earnings in Great Britain. The Up-rating Order as made includes details of the sums mentioned in those sections.

Part 1 of the Order (articles 1 and 2) is introductory.

Part 2 (articles 3 to 9 and 11 to 13) of the Order relates to social security benefits, pensions and allowances.

Article 3 and Schedule 1 increase the benefits and increases of benefits (excepting those under the provisions specified in article 3(1A) and those referred to in article 3(2)) specified in Parts I, III, IV and V of Schedule 4 to the Social Security Contributions and Benefits Act 1992 as it has effect in the Island (“the Contributions and Benefits Act”).

Article 4 increases the rates and amounts of certain pensions and allowances under the Contributions and Benefits Act.

Article 5 increases the sums payable as part of a Category A or Category B retirement pension by virtue of sections 15(1) and 17(2) and (3) of the Pension Schemes Act 1993 as it has effect in the Island (“the Pension Schemes Act”) on account of increases in guaranteed minimum pensions.

Article 6 specifies the dates from which the sums specified for rates or amounts of benefits under the Contributions and Benefits Act or the Pension Schemes Act are altered.

Article 7 specifies earnings limits for child dependency increases.

Article 8 increases the rate of graduated retirement benefit.

Article 9 increases the higher rate of the mobility component of disability living allowance.

Article 11 increases the weekly rates of age addition and the rates referred to in article 11(2) for claimants entitled to long-term incapacity benefit.

Article 12 increases the weekly rates of transitional invalidity allowance and the rates referred to in article 12(2) for claimants entitled to long-term incapacity benefit.

Article 13 increases the rates of widowed mother’s allowance, widow’s pension, widowed parent’s allowance and bereavement allowance.

Part 4 (article 19A) of the Order relates to jobseeker’s allowance.

Article 19A increases the age-related amounts for contribution-based jobseeker’s allowance.

Part 8 of the Order (article 25) provides for the revocation of the Social Security Benefits Up-rating Order 2014.

Social Security Benefits Up-rating Regulations 2015 (S.I. 2015/496) (regulations 1 to 4 and 6 only)

These Regulations contain provisions in consequence of the Social Security Benefits Up-rating Order 2015 as made in Great Britain and applied to the Island (“the Up-rating Order”).

Regulation 1 provides for the Regulations’ citation and interpretation.

Regulation 2 provides that where a question has arisen about the effect of the Up-rating Order insofar as that Order affects the weekly rate of maternity allowance, on a benefit already in payment, the altered rates will not apply until that question is determined by an adjudication officer, the social security appeal tribunal or the Social Security Commissioner.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 (as they have effect in the Island) so as to restrict the application of the increases specified in the Up-rating Order insofar as that Order affects the weekly rate of maternity allowance, in cases where the beneficiary is not ordinarily resident in the Island.

Regulation 4 raises from £225 to £230 the earnings limit for child dependency increases payable with a carer’s allowance. These increases were abolished by section 1(3)(e) of, and Schedule 6 to, the Tax Credits Act 2002 of Parliament but are saved for transitional cases by virtue of article 3 of the Tax Credits Act 2002 (Commencement No. 3 and Transitional Provisions and Savings) Order 2003 (as it has effect in the Island).

Regulation 6 revokes the Social Security Benefits Up-rating Regulations 2014 (as they have effect in the Island).

Guardian’s Allowance Up-rating Regulations (S.I. 2015/545)

These Regulations supersede the Guardian’s Allowance Up-rating Regulations 2014.

Regulation 1 provides for the Regulations’ citation and interpretation.

Regulation 2 provides that where a question has arisen about the effect of the Guardian’s Allowance Up-rating Order 2015 (as it has effect in the Island) (“the Guardian’s Allowance Up-rating Order”) on a guardian’s allowance already in payment, the altered rates will not apply until that question is determined by an adjudication officer, the social security appeal tribunal or the Social Security Commissioner.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 (as they have effect in the Island) to restrict the application of the increases specified in the Guardian’s Allowance Up-rating Order in cases where the beneficiary lives outside the Island.