



## SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (AMENDMENT) (NO. 6) ORDER 2015

### Index

Article	Page
1 Title .....	3
2 Commencement .....	3
3 Interpretation.....	3
4 Social Security Legislation (Application) (No. 8) Order 1996 amended .....	3
5 Schedule 3 amended.....	4
6 Schedule 7 amended.....	6



Statutory Document No. 2015/0221



*Social Security Act 2000*

## **SOCIAL SECURITY LEGISLATION (BENEFITS) (APPLICATION) (AMENDMENT) (NO. 6) ORDER 2015**

*Approved by Tynwald: 22<sup>nd</sup> July 2015*

*Coming into Operation in accordance with article 2*

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

### **1 Title**

This Order is the Social Security Legislation (Benefits) (Application) (Amendment) (No. 6) Order 2015.

### **2 Commencement**

If approved by Tynwald, this Order comes into operation on the day it is approved by Tynwald<sup>1</sup>.

### **3 Interpretation**

In this Order “**the Jobseeker’s Allowance Regulations**” means the Jobseeker’s Allowance Regulations 1996<sup>2</sup> as they have effect in the Island<sup>3</sup> and a reference in this Order to a numbered Schedule is to the Schedule bearing that number in the Jobseeker’s Allowance Regulations.

### **4 Social Security Legislation (Application) (No. 8) Order 1996 amended**

The Schedule<sup>4</sup> to the Social Security Legislation (Application) (No. 8) Order 1996<sup>5</sup> is amended as follows.

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

<sup>2</sup> SI 1996/207.

<sup>3</sup> See SD 634/96.

<sup>4</sup> The Schedule sets out the Jobseeker’s Allowance Regulations 1996 as they have effect in the Island.

<sup>5</sup> SD 634/96.

**5 Schedule 3 amended**

- (1) Schedule 3 (premiums) is amended as follows.
- (2) In Part II (premiums) —
  - (a) in paragraph 7(2)<sup>6</sup> after paragraph (b) insert —
    - 6A**; and
    - (ba) a child benefit premium to which paragraph 16B or 16C applies<sup>6B</sup>; and
  - (b) after paragraph 16A<sup>7</sup> insert —

**6A** *Higher child benefit premium*

16B. The condition is that —

- (a) if the claimant does not have a partner, the claimant is not entitled to child benefit in respect of a child or young person (C); or
- (b) if the claimant has a partner, neither the claimant nor his partner is entitled to child benefit in respect of C,

only because of the operation of section 141(2) of the Benefits Act.

*Lower child benefit premium*

16C.

- (1) The condition is that —
  - (a) if the claimant does not have a partner, the claimant is entitled to child benefit in respect of a child or young person (C); or
  - (b) if the claimant has a partner, the claimant or his partner is entitled to child benefit in respect of C,

which is payable at a rate specified in any of the provisions of the Child Benefit (Rates) Regulations 2013 specified in sub-paragraph (2).

- (2) Those provisions are —
  - (a) regulation 8(2)(b), (c) or (d);
  - (b) regulation 9(2)(b), (c) or (d); or
  - (c) regulation 10(2)(b), (c) or (d).<sup>6B</sup>

- (3) In Part III (weekly amounts of premiums) after paragraph 20(6A)<sup>8</sup> insert —

<b>6A</b> (6B) Higher child benefit premium —	(6B) For each child or young person (C) in respect of whom the
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<sup>6</sup> Paragraphs 7 and 7A substituted for paragraph 7 by SD 0055/13.

<sup>7</sup> Paragraph 16A inserted by S.I. 2006/718 (see SD 31/07).

<sup>8</sup> Paragraph 20(6A) inserted by S.I. 2006/718 (see SD 31/07) and amended by SD 0608/12.



	<p>condition in paragraph 16B is satisfied an amount equal to the rate of child benefit that would be payable in respect of C specified in regulation 8(2)(a), 9(2)(a) or 10(2)(a) (as the case may be) of the Child Benefit (Rates) Regulations 2013 but for the operation of section 141(2) of the Benefits Act.</p>
<p>(6C) Lower child benefit premium —</p>	<p>(6C) For each child or young person (C) in respect of whom the condition in paragraph 16C is satisfied an amount equal to A – B. Here —</p> <ul style="list-style-type: none"> <li>(a) “A” means an amount equal to the rate of child benefit that would be payable in respect of C specified in regulation 8(2)(a), 9(2)(a) or 10(2)(a) (as the case may be) of the Child Benefit (Rates) Regulations 2013 were the claimant’s reckonable income not more than the lower income threshold;</li> <li>(b) “B” means the rate of child benefit which is payable in respect of C specified in regulation 8(2)(b), (c) or (d), 9(2)(b), (c) or (d) or 10(2)(b), (c) or (d) (as the case may be) of the Child Benefit (Rates) Regulations 2013;</li> <li>(c) “lower income threshold” has the meaning given in regulation 4(1) of those Regulations; and</li> <li>(d) “reckonable income” has the meaning prescribed in those Regulations. <b>22</b>.</li> </ul>

**6 Schedule 7 amended**

In Schedule 7 (sums to be disregarded in the calculation of income other than earnings) in paragraph 4<sup>9</sup> omit all the words after “Act”.

**MADE 17<sup>TH</sup> JUNE 2015**

**W E TEARE**  
*Minister for the Treasury*

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<sup>9</sup> Paragraph 4 amended by SDs 721/04 and 0082/12.

*EXPLANATORY NOTE*

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

This Order amends the Jobseeker's Allowance Regulations 1996 (as they have effect in the Island) ("the Jobseeker's Allowance Regulations").

Articles 1 to 3 are introductory (title, commencement and interpretation of the Order).

Article 4 introduces the amendments the Order makes.

Article 5 amends Schedule 3 to the Jobseeker's Allowance Regulations by introducing two new premiums for persons claiming income-based jobseeker's allowance who either receive no child benefit or less than the full rate of child benefit because of the income-testing of that benefit. The amounts of the premiums are equal to the full rate of child benefit otherwise payable (higher child benefit premium) or the difference between the full rate of child benefit and the rate actually payable (lower child benefit premium) for each child or young person in the family.

Article 6 omits reference appearing in Schedule 7 to the Jobseeker's Allowance Regulations to increases in child benefit which are no longer payable.