



SOCIAL SECURITY ACT 2000
NURSING CARE CONTRIBUTION
SCHEME (AMENDMENT) ORDER 2011

Approved by Tynwald

15th March 2011

Coming into operation in accordance with article 2

The Department of Social Care makes this Order under section 1A(1) of the Social Security Act 2000¹.

1 Title

This Order is the Nursing Care Contribution Scheme (Amendment) Order 2011.

2 Commencement

This Order comes into operation on 1 April 2011.

3 Amendment of the Nursing Care Contribution Scheme 2008

- (1) Amend the Nursing Care Contribution Scheme 2008² in accordance with the following paragraphs.
- (2) In paragraph 2 (interpretation of the Scheme) for the definition of “the Department” substitute –

““the Department” means the Department of Social Care;”.

¹ 2000 c.5. Section 1A was inserted in the Social Security Act 2000 by section 1(2) of the Social Security (Amendment) Act 2009 c.10.

² G.C. No. 30/08. The Scheme is treated as having effect as an order under section 1A of the Social Security Act 2000 by virtue of section 2(2)(g) of the Social Security (Amendment) Act 2009.

- (3) In paragraph 4(1)³ (the nursing care condition)—
- (a) at the end of head (a) add “and”;
 - (b) in head (b) at the end omit “and”; and
 - (c) omit head (c).
- (4) For paragraph 8 (nursing care contribution, etc. to be payable out of money provided by Tynwald) including the heading substitute –

“Financial arrangements

8. Any nursing care contribution and any other expenses of the Department attributable to this Scheme as approved by the Treasury shall be paid out of the Manx National Insurance Fund (see section 161 of the Social Security Administration Act 1992⁴ (as that Act has effect in the Isle of Man⁵)).”.

4 Revocation

In the Nursing Care Contribution Scheme (Amendment) Order 2010⁶ article 3(2) (which inserted the requirement that a person be ordinarily resident in the Isle of Man to qualify for a nursing care contribution) is revoked.

Made

9th February 2011



Minister for Social Care

³ Paragraph 4(1) was amended by article 3(2) of S.D. 347/10.

⁴ 1992 c.5.

⁵ See S.D. 506/94.

⁶ S.D. 347/10.

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order amends, with effect from 1st April 2011, the Nursing Care Contribution Scheme 2008 (“the Scheme”).
2. Articles 1 and 2 provide for the title of the Order and the date from which it comes into operation.
3. Article 3 amends the Scheme.
 - 3.1 Article 3(2) replaces the definition of “the Department” appearing in paragraph 2 of the Scheme following the coming into operation of the Transfer of Functions (New Departments) (No. 2) Order 2010 (S.D. 155/10).
 - 3.2 Article 3(3) amends paragraph 4 of the Scheme by removing the condition (introduced on 1st August 2010) that a person has to be ordinarily resident in the Island to qualify for a nursing care contribution under the Scheme. This condition is no longer necessary following the introduction of a new Reciprocal Healthcare Agreement between the United Kingdom and the Isle of Man, which came into operation on 1st October 2010.
 - 3.3 Article 3(4) replaces existing paragraph 8 of the Scheme with a new version of that paragraph. Previously paragraph 8 provided that the funding of nursing care contributions payable under the Scheme was provided for by monies provided by Tynwald. New paragraph 8 provides that contributions under the Scheme will in future be paid out of the Manx National Insurance Fund.
4. Article 4 consequentially amends the Nursing Care Contribution Scheme (Amendment) Order 2010 by removing article 3(2) of that Order, which inserted (into paragraph 4 of the Scheme) the requirement that a person be ordinarily resident in the Isle of Man to qualify for a nursing care contribution and which is now being removed by article 3(3).