



Statutory Document No. 53/95

The Social Security Act 1982

THE SOCIAL SECURITY LEGISLATION (APPLICATION) (NO. 2) ORDER 1995

Approved by Tynwald 11 April 1995

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 1982(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) (No. 2) Order 1995 and, subject to section 1(6) of the Social Security Act 1982, shall come into operation when it is approved by Tynwald.

Amendment of S.D. 506/94

- 2.(1) The Social Security Administration Act 1992 (Application) Order 1994(b) (which applies the Social Security Administration Act 1992(c) (an Act of Parliament) to the Island) shall be amended in accordance with the following paragraphs.
 - (2) In the Schedule, in section 165 (Adjustments between Manx National Insurance Fund and General Revenue of the Isle of Man) after subsection (5) insert -
 - "(6) If, following a review under section 166, the Government Actuary determines that the level at which the National Insurance Fund stands from year to year is expected to exceed the level necessary in the longer term to bear a proper relation to demands in respect of payments of benefit, the Government Actuary or Deputy Government Actuary shall certify the amount of that excess.
 - (7) Without prejudice to subsections (2) and (5) above, where a certificate under subsection (6) is given there may be paid out of the National Insurance Fund into the General Revenue such sum, or sums as the Department, with the consent of the Treasury and the approval of Tynwald, may determine.

(a) 1982 c. 9; (b) S.D. 506/94; (c) 1992 c. 5.

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- (8) The sum, or the aggregate of the sums, paid into the General Revenue under subsection (7) above pursuant to a certificate under subsection (6) shall not exceed the amount specified in the certificate; and the aggregate of the sums paid so pursuant to all such certificates shall not in any event exceed £44,000,000."
- (3) In the Schedule, in section 166 (Financial review and report) in subsection (4)(a), after the words "current rate of contributions" insert the words "or such higher rates of contributions as the Actuary thinks are likely to be payable in the future".

Made 24 March 1995

B MAY M.H.K.

Minister for Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

This Order allows the Department, with the consent of the Treasury and the approval of Tynwald, to transfer from the Manx National Insurance Fund into the General Revenue, a one off sum of £44m, provided that sum does not exceed the amount certified by the Government Actuary as being the amount by which the Fund from year to year exceeds the level necessary in the longer term to meet the demands of payments of benefit.