



Statutory Document No. 54/95

The Social Security Act 1982

THE SOCIAL SECURITY LEGISLATION (APPLICATION) (NO. 3) ORDER 1995

Approved by Tynwald 22 March 1995

Coming into operation 10th April 1995

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. 3) Order 1995 and shall, subject to section 1(6) of the Social Security Act 1982, come into force on 10th April 1995.

Amendment of G.C. 129/92

2. (1) Part 4 of the Schedule to the Social Security Legislation (Application) (No. 3) Order 1992(b) (which applies the Disability Working Allowance (General) Regulations 1991(c) to the Island) shall be amended in accordance with paragraphs (2) and (3).

(2) For the entry relating to regulation 51 (determination of appropriate maximum disability working allowance) substitute -

"Conditions of entitlement for increase of applicable amount in respect of a disabled child

51. (1) This paragraph applies to a child or young person for whom the claimant or his partner is responsible and who is a member of the claimant's household, and

- (a) in respect of whom disability living allowance is payable or has ceased to be payable solely because he is a patient;
- (b) who is registered as blind in a register compiled under section 27 of the National Assistance (Isle of Man) Act 1951 (an Act of Tynwald); or
- (c) who ceased to be registered as blind in such a register within the 28 weeks immediately preceding the date of claim.

(2) For the purposes of paragraph (1)(a), "patient" has the same meaning as it has in regulation 10."

(a) 1982 c. 9; (b) G.C. 129/92; (c) S.I. 1991/2887.

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(3) For regulation 52 (applicable amount) there shall be substituted the following:-

"52 Applicable amount

For paragraph (1) substitute -

"(1) The applicable amount for the purposes of section 129(1) of the Contributions and Benefits Act (entitlement of income does not exceed applicable amount) is -

(a) if the claimant is single £120.30;

(b) if the claimant is a member of a married or unmarried couple or a lone parent £179.40 plus £6.60 for the first or only child or young person, plus £19.90 for each additional child or young person.

(1A) The applicable amount under paragraph (1) above shall be increased by £18.00 in respect of each child or young person in respect of whom the conditions specified in regulation 51A are satisfied."

Revocation of S.D. 52/94

3. The Social Security Legislation (Application) (No. 4) Order 1994(a) is hereby revoked.

Made

9th February

1995

B MAY M.H.K.

Minister for Health and Social Security

(a) S.D. 52/94.

EXPLANATORY NOTE

(This note is not part of the Order)

1. These Regulations increase the prescribed amounts for Disability Working Allowance.
2. Regulation 1 deals with citation and interpretation and provides that the regulations shall operate from 10th April 1995.
3. Regulation 2 inserts regulation 51A into the Disability Working Allowance (General) Regulations 1992. This regulation provides for the conditions which have to be met to qualify for the increase in the applicable amount where the DWA recipient has a disabled child.

Regulation 2 also amends regulation 52 of the Disability Working Allowance (General) Regulations 1992 so as to increase the prescribed amounts (that is the amount of weekly income below which a family may qualify for supplements). The increase in the prescribed amount in respect of the new disabled child's allowance is also specified.

The prescribed amounts from April 1995 will be as follows (existing rates in brackets) -

For a single person with no children	120.30	(107.60)
married or unmarried couple or lone parent	179.40	(165.30)
plus for first or only child	6.60	(6.40)
plus for each child after the first	19.90	(19.30)
plus for each disabled child or young person	18.00	(nil)

4. This Order revokes the Social Security Legislation (Application) (No. 4) Order 1994 (S.D. 52/94) which provided for increases in prescribed amounts from April 1994.
5. It is anticipated that, as a result of this Order, expenditure on Disability Working Allowance will increase by about £5,000 per annum.