



Isle of Man

Ellan Vannin

AT 5 of 2000

SOCIAL SECURITY ACT 2000



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Index

Section	Page
1 Application to the Island of Acts of Parliament etc	5
1A Power to make other provision in respect of social security	6
2 Orders: supplemental provisions	7
3 Interpretation.....	7
4 Short title etc.....	8
SCHEDULE 1	9
<hr/>	
ACTS OF PARLIAMENT TO WHICH SECTION 1 APPLIES	9
SCHEDULE 2	11
<hr/>	
ENACTMENTS REPEALED OR REVOKED	11
ENDNOTES	13
<hr/>	
TABLE OF LEGISLATION HISTORY	13
TABLE OF RENUMBERED PROVISIONS	13
TABLE OF ENDNOTE REFERENCES	13

**Isle of Man***Ellan Vannin*

SOCIAL SECURITY ACT 2000

<i>Received Royal Assent:</i>	<i>2 March 2000</i>
<i>Passed:</i>	<i>21 March 2000</i>
<i>Commenced:</i>	<i>21 March 2000</i>

AN ACT to provide for the application to the Island of certain Acts of Parliament and statutory instruments relating to social security; and for connected purposes.

1 Application to the Island of Acts of Parliament etc

- (1) The Treasury may by order apply to the Island as part of the law of the Island, subject to such exceptions, adaptations and modifications as may be specified in the order, any legislation of the United Kingdom to which this section applies.¹
- (1A) [Repealed]²
- (2) An order under subsection (1) may include provision repealing or amending any provision of an enactment (other than this Act) which is inconsistent with, or is unnecessary or requires modification in consequence of, the order or any legislation of the United Kingdom applied to the Island by the order.³
- (3) Any provision of an order under subsection (1) may be made retrospective and be deemed to have had effect from such day or days as may be specified in the order, not being earlier than the date from which the corresponding legislation had effect in the United Kingdom.⁴
- (4) An order under subsection (1) may do all or any of the following —
 - (a) specify the exceptions, adaptations and modifications subject to which the legislation of the United Kingdom applies to the Island;
 - (b) set out the legislation of the United Kingdom applied by the order, incorporating the exceptions, adaptations and modifications subject to which it applies to the Island;
 - (c) in the case of an order applying legislation of the United Kingdom which amends previous legislation of the United Kingdom applied to the Island, set out the previous legislation so applied as

amended, incorporating the exceptions, adaptations and modifications subject to which that legislation applies to the Island.⁵

- (5) This section applies to the following legislation —
 - (a) the Acts of Parliament specified in Schedule 1 (but, where a qualification is specified in column 3 of that Schedule, only to the extent there mentioned);
 - (b) any provision of any Act of Parliament, or of any statutory instrument, amending, varying or modifying, directly or indirectly, any Act referred to in paragraph (a);
 - (c) any statutory instrument made or having effect as if made under any Act referred to in paragraph (a).
- (6) The Treasury may by order amend Schedule 1 —
 - (a) by adding to it (with or without any qualification) any Act of Parliament relating to social security and passed during or after the 1998-1999 Session of Parliament; and
 - (b) by deleting from it any Act of Parliament (including any Act of Parliament added to it by a previous order under this subsection).⁶

1A Power to make other provision in respect of social security

- (1) If it appears to the Treasury to be expedient, having regard to social conditions in the Island, to make social security provision which does not correspond to legislation of the United Kingdom to which section 1 applies, it may by order make that provision.⁷
- (2) An order under subsection (1) may provide for —
 - (a) the application of any legislation to which section 1 applies subject to such exceptions, adaptations and modifications as may be specified;
 - (b) the repeal or amendment of any provision of an enactment (other than this Act) which is inconsistent with, or is unnecessary or requires modification in consequence of the provision made under subsection (1).
- (3) Provision made under subsection (2)(a) may —
 - (a) specify the exceptions, adaptations and modifications of the legislation to which section 1 applies for the purposes of the order; or
 - (b) set out the legislation to which section 1 applies as it is applied for the purposes of the order.⁸

2 Orders: supplemental provisions

- (1) An order under section 1(1) or (6) or 1A(1) shall be laid before Tynwald as soon as may be after it is made; and unless it is approved by Tynwald at the sitting at which it is laid or the next following sitting, it shall cease to have effect, but without prejudice to anything previously done under it or to the making of a new order.⁹
- (2) The Treasury shall, as soon as may be after the coming into operation of an order under section 1(1) (except an order setting out the relevant United Kingdom legislation in accordance with section 1(4)(b) or (c)), prepare —
- (a) a text of the legislation of the United Kingdom applied by the order; or
 - (b) in the case of an order applying legislation of the United Kingdom which amends previous legislation of the United Kingdom applied to the Island, a text of the amended legislation so applied; or
 - (c) in the case of an order amending a previous order under section 1(1), a text of the legislation of the United Kingdom applied by the previous order, as it has effect by virtue of the previous order as amended;
- incorporating the exceptions, adaptations and modifications specified in the order and in any previous order having effect in relation thereto.¹⁰
- (2A) [Repealed]¹¹
- (3) The Treasury must —
- (a) make a copy of the text prepared under subsection (2) available for public inspection free of charge at its principal office at all times when that office is open to the public; and
 - (b) supply a copy of the said text to any person requesting the same, at such reasonable charge as the Treasury may determine.^{12 13}

3 Interpretation

In this Act —

“**benefit**” means any benefit, gratuity, allowance, grant or pension payable to an individual, other than superannuation payable by virtue of employment or service in a particular office or occupation;

“**the Commissioners for Her Majesty’s Revenue and Customs**” means the Commissioners established by section 1 of the Commissioners for Revenue and Customs Act 2005 (an Act of Parliament);¹⁴

“**the Department**” [Repealed]¹⁵

“**social security**” means —

- (a) any benefit payable by the Secretary of State or the Commissioners for Her Majesty's Revenue and Customs out of the National Insurance Fund or out of moneys provided by Parliament;¹⁶
- (b) the entitlement to, and the making of contributions towards or in relation to, any such benefit;
- (c) the administration and payment of any such benefit;

“**statutory instrument**” has the same meaning as in the Statutory Instruments Act 1946 (an Act of Parliament).

4 Short title etc

- (1) This Act may be cited as the Social Security Act 2000.
- (2) The enactments specified in Schedule 2 are repealed or, as the case may be, revoked to the extent specified in column 3 of that Schedule.

SCHEDULE 1¹⁷

ACTS OF PARLIAMENT TO WHICH SECTION 1 APPLIES

Section 1(5)

<i>Short title</i>	<i>Qualification</i>	
The Social Security Act 1973. (c 38) The National Insurance Act 1974. (c 14)	Insofar as it amended, varied or modified, directly or indirectly, the said Act of 1973.	
The Social Security (Consequential Provisions) Act 1975. (c 18)		
The Social Security Pensions Act 1975. (c 60)		
The Supplementary Benefits Act 1976. (c 71)		
The Social Security (Miscellaneous Provisions) Act 1977. (c 5)		
The Social Security Act 1979. (c 18)		
The Social Security Act 1980. (c 30)		
The Social Security Act 1981. (c 33)		
The Health and Social Services and Social Security Adjudications Act 1983. (c 41)		
The Social Security Act 1985. (c 53)		
The Social Security Act 1986. (c 50)		
The Social Security Act 1988. (c 7)		
The Social Security Act 1989. (c 24)		
The Pensions (Miscellaneous Provisions) Act 1990. (c 7)		
The Social Security Act 1990. (c 27)		
The Disability Living Allowance and Disability Working Allowance Act 1991. (c 21)		
The Social Security Contributions and Benefits Act 1992. (c 4)		
The Social Security Administration Act 1992. (c 5)		
The Social Security (Consequential Provisions) Act 1992. (c 6)		
The Social Security Act 1993. (c 3)		
The Social Security (Incapacity for Work) Act 1994. (c 18)		
The Jobseekers Act 1995. (c 18)		
The Child Support Act 1995. (c 34)		Section 10 only.
The Social Security (Overpayments) Act 1997. (c 51)		
The Social Security (Recovery of Benefits) Act 1997. (c 27)		
The Social Security Administration (Fraud) Act 1997. (c 47)		
The Social Security Act 1998. (c 14)		

<i>Short title</i>	<i>Qualification</i>
The Welfare Reform and Pensions Act 1999. (c 30) The Child Support, Pensions and Social Security Act 2000. (c 19) The Regulatory Reform Act 2001. (c 6) The Social Security Fraud Act 2001. (c 11) The Employment Act 2002. (c 22)	Sections 2, 4, 19, 48, 49 and 51 to 55 and Schedules 7 and 8 only.
The National Insurance Contributions Act 2002. (c 19) The Tax Credits Act 2002. (c 21) The Gender Recognition Act 2004. (c 7) The Pensions Act 2004. (c 35)	Sections 9, 13, 22 and 25 and Schedule 5 only. Sections 265, 296, 297 (other than subsection (3)), 315, 316, 318, 322 and 325 and Schedule 11 only.
The Civil Partnership Act 2004. (c 33)	Sections 1, 246, 247, 254, 258, 259, 261, 263, 264, Parts 3, 4, 7 and 11 of Schedule 24, and Schedule 30 only.
The Child Benefit Act 2005. (c 6) The Work and Families Act 2006. (c 18)	Sections 1, 3, 4, 6 and 7 and Schedules 1 and 2. Sections 1, 2, 11, 16 and 18 to 20 and Schedule 1.
The Pensions Act 2007. (c 22)	Sections 1 to 7, 9 to 13, 25 to 28, 30 and 31 and Schedules 1 to 3 and 7 (Parts 1 to 5 only).
The Pensions Act 2008. (c30)	Sections 102 to 104, 106, 135, 137, 145, 148 and 151, and Schedules 3 and 4 and Parts 2, 3 and 6 of Schedule 11.
The Welfare Reform Act 2009 (c.24) The Pensions Act 2011 (c.19)	Parts 1 and 5 and Schedules 4 and 7 Part 1 (and Schedules 1 to 3). In Part 6, section 39.
The Welfare Reform Act 2007 (c.5) The Welfare Reform Act 2012 (c.5) Pensions Act 2014 (c.19)	Part 5 and Schedule 16.

SCHEDULE 2**ENACTMENTS REPEALED OR REVOKED**

Section 4(2)

[Sch 2 repeals the following Acts and Orders wholly —

The Supplementary Benefit, National Insurance Etc. (Miscellaneous Provisions) Act 1974

The Social Security Act 1982

The Social Security Act 1982 (Amendment) Order 1986 (GC359/86)

The Social Security Act 1982 (Amendment) Order 1990 (GC404/90)

The Social Security Act 1982 (Amendment) Order 1993 (SD133/93)

The Social Security Act 1982 (Amendment) Order 1994 (SD450/94)

The Social Security Act 1982 (Amendment) Order 1996 (SD7/96)

The Social Security Act 1982 (Amendment) (No. 2) Order 1996 (SD631/96)

The Social Security Act 1982 (Amendment) Order 1997 (SD491/97)

The Social Security Act 1982 (Amendment) Order 1998 (SD580/98)

and the following Acts in part —

The Supplementary Benefit and National Assistance (Amendment) Act 1975

The Health and Social Security Act 1986

The Statute Law Revision Act 1992]

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ Subs (1) amended by SD155/10 Schs 6 and 7, by SD359/11 and by SD2014/08.

² Subs (1A) repealed by SD2014/08.

³ Subs (2) amended by SD155/10 Sch 7 and by SD2014/08.

⁴ Subs (3) amended by SD155/10 Sch 7 and by SD2014/08.

⁵ Subs (4) amended by SD155/10 Sch 7 and by SD2014/08.

⁶ Subs (6) amended by SD155/10 Sch 7 and by SD2014/08.

⁷ Subs (1) amended by Sd2014/08.

⁸ S 1A inserted by the Social Security (Amendment) Act 2009 s 1(2).

⁹ Subs (1) amended by Social Security (Amendment) Act 2009 s 1(3), by SD155/10 Sch 7 and by SD2014/08.

¹⁰ Subs (2) amended by SD2014/08.

¹¹ Subs (2A) repealed by SD2014/08.

¹² Para (b) amended by SD155/10 Sch 7 and by SD2014/08.

¹³ Subs (3) amended by SD155/10 Sch 7 and by SD2014/08.

¹⁴ Definition of “the Commissioners for Her Majesty’s Revenue and Customs” inserted by the Social Security (Amendment) Act 2009 s 1(4)(a).

¹⁵ Definition of “the Department” repealed by SD2014/08.

¹⁶ Para (a) amended by the Social Security (Amendment) Act 2009 s 1(4)(b).

¹⁷ Sch 1 amended by SD364/00, by SD195/01, by SD822/01, by SD692/02, by SD792/02, by SD43/03, by SD39/04, by SD873/04, by SD66/05, by SD653/05, by SD718/06, by SD28/07, by SD35/07, by SD756/08, by SD592/09, by SD765/10, by SD1079/11, by SD732/12 and by SD2016/0364.