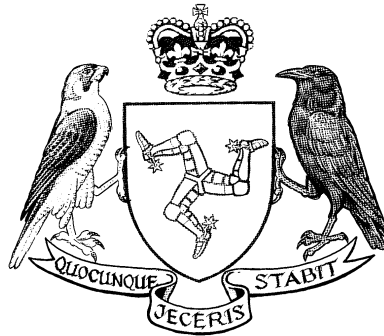


SOCIAL SECURITY (AMENDMENT) ACT 2009

Arrangement of Sections

Section

1. Amendment of the Social Security Act 2000
2. Transitional provision
3. Short title



Isle of Man } Signed in Tynwald: 17th November 2009
 in Wit } Received Royal Assent: 17th November 2009
 Announced to Tynwald: 17th November 2009

AN ACT

to amend the Social Security Act 2000; and for connected purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

1. (1) The Social Security Act 2000 is amended as follows.

Amendment
of the Social
Security Act
2000

(2) After section 1 (application to the Island of Acts of Parliament) insert —

[c. 5]

“Power to
make other
provision
in respect
of social
security

1A. (1) If it appears to the Department 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.

(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.”.

(3) In section 2(1) (Tynwald procedure) after “1(1) or (6)” insert “or 1A(1)”.

(4) In section 3 (interpretation) —

(a) after the definition of “benefit” insert —

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

[c.11]

(b) in paragraph (a) of the definition of “social security” after “Secretary of State” insert “or the Commissioners for Her Majesty’s Revenue and Customs”.

Transitional provision

2. (1) Upon the coming into operation of this Act each of the schemes listed in subsection (2) —

(a) shall be deemed to have been made under an Act of Tynwald;

(b) shall continue in force on and after the day on which Royal Assent to this Act is announced to Tynwald;

(c) shall have effect as an order under section 1A of the Social Security Act 2000; and

any right, payment, decision, act or matter that accrued or was made or done under that scheme before the day on which this Act come into operation shall be deemed to have accrued or been made or done under the authority of an Act of Tynwald, but subject to the qualification in subsection (3).

(2) The Schemes are —

[G.C.152/90]

(a) the T.V. Licence (Refunds) Scheme 1990;

[G.C.53/01]

(b) the Pension Supplement Scheme 2001;

[G.C.25/02]

(c) the Retirement Pension (Premium) Scheme 2002;

- (d) the Jobseeker's Enhanced Allowance Scheme 2002 (insofar as it continues to exist);
- (e) the Family Income Supplement and Disability Working Allowance (Child Care Charge Adjustment) Scheme 2004; [G.C.15/04]
- (f) the Carer's Bereavement Payment Scheme 2008; and [G.C.18/08]
- (g) the Nursing Care Contribution Scheme 2008. [G.C.30/08]

(3) Nothing in subsection (1) creates a criminal offence in relation to anything done or omitted to be done before the coming into operation of this Act.

3. This Act may be cited as the Social Security (Amendment) Act 2009. Short title