

Social Security News

Issue 209 February 2024

This News Bulletin is intended to brief those with a special interest in social security matters of the changes in the law following each sitting of Tynwald at which the changes are approved.

Copies of the Orders and Regulations referred to in this bulletin may be obtained from:

Tynwald Library, Legislative Buildings, Douglas, IM1 3PW.

Tel: 01624 685520

Email: library@tyrwald.org.im

Website: <https://www.tyrwald.org.im/links/secondary-legislation>

Social Security legislation is available [online](#).

The relevant document number is shown against the item.

For more details on the Orders and Regulations described in this newsletter.

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In this issue:

SD2024/0030 relates to the annual uprating of state pensions as well as other social security benefits and allowances applying in the Island. It provides for new rates of benefits and allowances to apply from the week commencing 8 April 2024.

SD2024/0031 provides that where a question has arisen about the effect of the Social Security Benefits Uprating Order 2024 (SD2024/0030) on a benefit already in payment, the altered rates will not apply until that question is determined by an adjudication officer, the social security appeals tribunal or the Social Security Commissioner. The application of the increases specified in the Social Security Benefits Uprating Order 2024 are also restricted in certain cases where the beneficiary is not ordinarily resident in the Isle of Man.

SD2024/0032 amends the Pension Supplement Scheme 2001. The changes made reduce the percentages by which the rate of basic retirement pension and other qualifying benefits are multiplied in calculating the rate of pension supplement payable from the week commencing 8 April 2024. This is necessary in order to avoid what would otherwise be automatic increases in the rates of pension supplement payable.



Isle of Man
Government

Reillys Ellan Vannin

The Treasury

SD2024/0033 amends the Pension (Top-up) Order 2016, so that persons entitled to a pension top-up immediately before 8 April 2024 will benefit from an 8.5% increase in the rate of their top-up (the same percentage increase as for the basic state pension) from the week commencing 8 April 2024.

SD2024/0034 amends from 8 April 2024 provisions which prescribe the amount of capital held by the claimant and their partner above which income support entitlement is affected as well as the amount of weekly earnings which are disregarded in calculating that person's earnings for income support purposes.

SD2024/0035 amends from 8 April 2024 provisions which prescribe the amount of capital held by the claimant and their partner above which employed person's allowance entitlement is affected.

SD2024/0036 amends the amount which a person can earn without it affecting their entitlement to carer's allowance, incapacity benefit and unemployability supplement (which is paid with industrial injuries disablement benefit). Also amends provisions which prescribe the amount of capital held by the claimant and their partner above which jobseeker's allowance entitlement is affected. These amendments are from 8 April 2024.

SD2024/0037 increases the amounts of maternity payment payable from 8 April 2024.

Social Security Benefits Up-rating Order 2024

SD2024/0030

This Order relates to the annual uprating of state pensions as well as other social security benefits and allowances applying in the Island. It provides for new rates of benefits and allowances to apply from the week commencing 8 April 2024, as follows.

The full amount of the Manx state pension and the rates of basic state retirement pension are to increase by 8.5%. The rates of protected amounts under the Manx state pension scheme and the rates of additional pension under the retirement pension scheme are to increase by 6.7%.

The rates of most other National Insurance funded benefits are to increase by 6.7%, with the following exceptions –

- Maternity allowance: the maximum rate payable to employed earners is to increase by 15.0%, as is the standard rate payable to women who have been self-employed and have paid class 2 National Insurance contributions during the relevant period; and
- Adoption allowance and paternity allowance: the maximum rate payable is to increase by 15.0%.

The rates of benefits paid for out of general revenue - i.e., child benefit, disability benefits and income-related benefits - are, generally speaking, to increase by 5.7%. Exceptions are as follows –

- Child benefit: The rate for a second child and subsequent children in a family is to be aligned with the new rate for the first or only child in a family;
- Disability living allowance: the higher rate of the mobility component is to increase by 6.7%, in order that it continues to be aligned with the equivalent UK rate (which is of particular importance to *Motability* customers);
- Income-related benefits:
 - the rates of the incapacity premium, disability premium, child disability premium and lone parent premium for income support and income-based jobseeker's allowance, as well as the disabled child premium for employed person's allowance, are not being increased;
 - the maxima allowable towards housing costs are to increase by 5.7%, rounded to the nearest 50p; and

- the maxima allowable towards child care costs are to increase by 5.7%, rounded to the nearest whole pound.

Social Security Benefits Upating Regulations 2024

SD2024/0031

These Regulations provide that where a question has arisen about the effect of the Social Security Benefits Upating Order 2024 (“the Upating Order”) on a benefit already in payment, the altered rates will not apply until that question is determined by an adjudication officer, the social security appeals tribunal or the Social Security Commissioner.

The Regulations also apply the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 (as they have effect in the Island) so as to restrict the application of the increases specified in the Upating Order in certain cases where the beneficiary is not ordinarily resident in the Isle of Man. It should be noted that beneficiaries living in certain countries do not receive annual increases in their state pensions.

Pension Supplement (Amendment) Order 2024

SD2024/0032

This Order amends the Pension Supplement Scheme 2001 (“the Scheme”). Despite its revocation, the Scheme continues to have effect in the case of certain persons, including those who were entitled to a supplement under the Scheme immediately before 6 April 2019.

The changes made reduce the percentages by which the rate of basic retirement pension and other qualifying benefits are multiplied in calculating the rate of pension supplement payable from the week commencing 8 April 2024.

For people who get a Category A or Category B retirement pension, the percentage is reduced from 34.411% to 31.711%. For people who get widowed mother’s allowance, widow’s pension or widowed parent’s allowance, the percentage is reduced from 37.994% to 35.613%.

As a result of these measures, the rates of pension supplement payable in 2024/25 will be the same as those payable in 2023/24 (for example, £53.75 per week with a 100% Category A retirement pension).

Pension (Top-up) (Amendment) Order 2024

SD2024/0033

This Order amends the Pension (Top-up) Order 2016.

The changes made mean that persons entitled to a pension top-up immediately before 8 April 2024 will benefit from an 8.5% increase in the rate of their top-up (the same percentage increase as for the basic state pension pension) from the week commencing 8 April 2024.

Income Support (General) (Isle of Man) (Amendment) Regulations 2024

SD2024/0034

These Regulations amend the Income Support (General) (Isle of Man) Regulations 2000 from 8 April 2024.

They increase - from £13,000 to £14,000 - the prescribed amount above which a person’s capital is treated as being that person’s income of a prescribed amount (i.e., they are assumed to receive a weekly income of £1 for each £250 of capital above the prescribed amount).

They also increase - from £13,000 to £14,000 - the maximum amount of capital which a child or young person may have in order for an amount to be included for that child or young person in the applicable amount of a person in the same family who is claiming income support, and for certain other purposes.

The Regulations also increase - from £30 to £40 - the amount of weekly earnings which a person may have generally which are disregarded in calculating that person's earnings for income support purposes.

Employed Person's Allowance (General) (Amendment) Regulations 2024

SD2024/0035

These Regulations amend the Employed Person's Allowance (General) Regulations 2011 from 8 April 2024 in two respects, as follows.

They increase - from £13,000 to £14,000 - the prescribed amount above which a person's capital is treated as being that person's income of a prescribed amount (i.e., they are assumed to receive a weekly income of £1 for each £250 of capital above the prescribed amount).

They also increase - from £13,000 to £14,000 - the maximum amount of capital which a child or young person may have in order for an amount to be included for that child or young person in the applicable amount of a person in the same family who is claiming employed person's allowance, and for certain other purposes.

Social Security Legislation (Benefits) (Application) (Amendment) Order 2024

SD2024/0036

This Order amends a number of sets of social security regulations from 8 April 2024 which are applied to the Island. The effects of the amendments are as follows.

The amount which a person can earn without it affecting their entitlement to carer's allowance, incapacity benefit in certain cases and unemployment supplement (which is paid with industrial injuries disablement benefit) is increased from £180 to £192 per week (or the annual equivalent for unemployment supplement) and from £30 to £40 per week for incapacity benefit in other cases.

The prescribed amount above which a person's capital is treated as being that person's income of a prescribed amount (i.e., they are assumed to receive a weekly income of £1 for each £250 of capital above the prescribed amount) for the purposes of jobseeker's allowance is increased from £13,000 to £14,000. The maximum amount of capital which a child or young person may have in order for an amount to be included for that child or young person in the applicable amount of a person in the same family who is claiming jobseeker's allowance, and for certain other purposes, is also increased from £13,000 to £14,000.

Maternity and Funeral Expenses (General) (Isle of Man) (Amendment) Regulations 2024

SD2024/0037

These Regulations amend the Maternity and Funeral Expenses (General) (Isle of Man) Regulations 2007 from 8 April 2024, as follows.

They increase the amount of maternity payment under those Regulations from £350 to £375 where a maternity payment has been paid to the claimant or the claimant's partner within the period of 3 years before the latest claim is made for a payment and from £700 to £750 in any other case.