

# Social Security News

Issue 198 July 2022

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](mailto:library@tyrwald.org.im)

Website: [www.tyrwald.org.im/links/tls](http://www.tyrwald.org.im/links/tls)

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:

**SD2022/0162** amends the Income Support and Jobseeker's Allowance (Exceptional Needs Grants and Budgeting Loans) Regulations 2003. The changes made will, in particular, contribute towards actions to prevent vulnerable people from becoming homeless and abolishes the so-called "double-debt" rule.

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**SD2022/0183** provides for a new lump-sum social security payment called a "family support payment" to be payable to people who are entitled to child benefit for a period which includes 11 April 2022.

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**SD2022/0188** provides for a new lump-sum social security payment called a "long-term benefits support payment" worth £150 to be payable to people who are ordinarily resident in the IOM and who are entitled to a state pension or other qualifying long-term benefit for at least one day in the week commencing Monday 6 June 2022.

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**SD2022/0208** further amends the Employed Person's Allowance (General) Regulations 2011 in relation to new minimum work requirements which will apply from 18 October 2022 to certain couples who have children and who are claiming employed person's allowance.



Isle of Man  
Government  
*Reilrys Ellan Vannin*

The Treasury

**SD2022/0216** amends the Employed Person's Allowance (General) Regulations 2011 so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of employed person's allowance.

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**SD2022/0217** amends the Income Support (General) (Isle of Man) Regulations 2000 so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of income support.

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**SD2022/0218** amends the Jobseeker's Allowance Regulations 1996 so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of jobseeker's allowance.

## Exceptional Needs Grants and Budgeting Loans (Amendment) Regulations 2022 SD2022/0162

These Regulations amend the Income Support and Jobseeker's Allowance (Exceptional Needs Grants and Budgeting Loans) (Amendment) Regulations 2003 ("the Grants and Loans Regulations") in two respects, as described below.

New provision is inserted into regulation 12 of the Grants and Loans Regulations to disapply one of the conditions of entitlement for a budgeting loan in the case of a claim for a loan to meet the cost of a deposit for rent (or an analogous payment of advance rent) or for the supply of gas or electricity on taking up the tenancy of a home. The condition disapplied is that a person claiming a budgeting loan or their partner must not have been awarded a budgeting loan in the preceding 104 weeks if the application of that condition would result in either person being threatened with homelessness.

Regulation 14 of the Grants and Loans Regulations is amended to abolish the so-called "double debt rule". This rule applied in the case of a person claiming a budgeting loan who or whose partner -

- a) had previously been awarded a budgeting loan which had been paid but not fully repaid, or who had been awarded a budgeting loan which hadn't yet been paid to them; or
- b) had been overpaid a social security benefit to which they were not entitled which had not been fully recovered.

Under that rule the maximum budgeting loan which would otherwise have been awarded was reduced by -

- twice the amount of any budgeting loan which had not been repaid or paid; plus
- twice the amount of any benefit overpayment which had not been recovered.

Regulation 14 as amended now provides that the maximum loan which would otherwise be awarded to a qualifying person is to be reduced by only the actual amount(s) which has not been repaid or recovered (as the case may be).

## Social Security Legislation (Benefits) (Application) (Amendment) (No. 5) Order 2022 SD2022/0183

This Order provides for a new lump-sum social security payment called a "family support payment" to be payable to people who are entitled to child benefit for a period which includes 11 April 2022.

Everyone who gets child benefit will get a **basic amount**. The amount they will get depends on the amount of reckonable income they are currently assessed to have for child benefit purposes, as shown in the table below –

Amount of reckonable income	Amount of basic family support payment payable
£50,000 or less	£300.00
More than £50,000 but not more than £60,000	£225.00
More than £60,000 but not more than £70,000	£150.00
More than £70,000 but not more than £80,000	£75.00

People who get child benefit for more than one child or qualifying young person will also get an **additional** amount. If they get child benefit for 2 children, or for one child and one qualifying young person, they'll also get an additional amount of £50.00, paid in addition to the basic amount. Or, if they get child benefit for 3 or more children, or the total number of children and qualifying young persons they get child benefit for is 3 or more, they'll get an additional amount of £100.00. Unlike the basic amount, the additional amounts are not reduced if a person's reckonable income is more than £50,000.

There is no requirement to make a claim for a family support payment. Payments will be made automatically to qualifying persons during May 2022. Payments will be made in the same way as their child benefit is paid to them.

A person may get a family support payment even if they (or their partner) have received an energy support payment.

A person who is not entitled to child benefit is not eligible for a family support payment.

Provision is also made in the Order in relation to the administration of family support payments, to provide that they are to be disregarded as income for income-related benefits purposes and that they are to be paid out of general revenue.

The Order also inserts definitions of "energy support payment", "family support payment" and "variable rate energy support payment" into the interpretation section of the Social Security Administration Act 1992 as it is applied in the Isle of Man and provides that no appeal lies against a decision in relation an energy support payment or a family support payment (as is already the case for the Christmas bonus and the winter bonus).

## Social Security Legislation (Benefits) (Application) (Amendment) (No. 6) Order 2022 SD2022/0188

This Order provides for a new lump-sum social security payment called a "long-term benefits support payment" worth £150 to be payable to people who are ordinarily resident in the IOM and who are entitled to a state pension or other qualifying long-term benefit for at least one day in the week commencing Monday 6 June 2022 ("the relevant week").

The qualifying benefits for long-term benefits support payment are –

- attendance allowance
- bereavement support payment
- carer's allowance
- disability living allowance
- employed person's allowance
- income support
- industrial death benefit

- long-term incapacity benefit
- Manx state pension
- retirement pension
- severe disablement allowance
- unemployability supplement paid with an industrial injury benefit or war pension
- widowed mother's allowance
- widowed parent's allowance
- widow's pension

But a person is not eligible for a long-term benefits support payment if they or their partner received an energy support payment earlier this year or if in respect of the last day of the relevant week (i.e., 12 June 2022) they are –

- no longer ordinarily resident in the Island;
- living in a care home other than on a temporary basis; or
- under the age of 16.

There is no requirement to make a claim for a long-term benefits support payment; payments will be made automatically to qualifying persons during June 2022. Payments will be made in the same way as their state pension or other long-term benefit is paid to them.

Receipt of a long-term benefits support payment doesn't affect entitlement to any other social security benefit.

Provision is also made in the Order in relation to the administration of long-term benefits support payments, to provide that they are to be disregarded as income for income-related benefit purposes and to provide that they are to be paid out of the Manx National Insurance Fund.

## **Employed Person's Allowance (General) (Amendment) Regulations 2022**

SD2022/0208

These Regulations further amend the Employed Person's Allowance (General) Regulations 2011 ("the 2011 Regulations") in relation to new minimum work requirements which will apply from 18 October 2022 to certain couples who have children and who are claiming employed person's allowance.

Following these amendments, in "standard cases" (see Regulation 7C of the 2011 Regulations) the minimum number of hours which one member of a couple (or together both members of a couple) is required to be in work or training each week is reduced if the couple's youngest or only child is aged under 13.

Prior to these Regulations those minimum hours would have been -

- 35 hours a week if the youngest or only child in the family is aged under 6; and
- 48 hours a week if the youngest or only child in the family is aged 6 or over.

But by virtue of these Regulations those minimum hours will be -

- 32 hours a week if the youngest or only child in the family is aged under 13; and
- 48 hours a week if the youngest or only child in the family is aged 13 or over.

Prior to these Regulations the minimum hours for other couples with children (see Regulations 7D, 7E and 7F of the 2011 Regulations) would have been 35 hours a week, regardless of the age of the youngest or only child. However, by virtue of these Regulations they are reduced to 32 hours a week. These couples are ones where –

- one partner is disabled, has been incapacitated for at least 30 days, is at least 6 months pregnant or is in work-related training or education;
- the couple have a child who is disabled, has been incapacitated for at least 30 days or is at least 6 months pregnant; and
- one or both partners receives bereavement support payment.

### **Employed Person's Allowance (General) (Amendment) (No. 2) Regulations 2022** SD2022/0216

These Regulations amend the Employed Person's Allowance (General) Regulations 2011 so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of employed person's allowance.

### **Income Support (General) (Isle of Man) (Amendment) (No. 3) Regulations 2022** SD2022/0217

These Regulations amend the Income Support (General) (Isle of Man) Regulations 2000 so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of income support.

### **Social Security Legislation (Benefits) (Application) (Amendment) (No. 7) Order 2022** SD2022/0218

This Order amends the Order which applied the Jobseeker's Allowance Regulations 1996 to the Island so as to provide that any host payment made under the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022 is to be disregarded in calculating a person's income for the purposes of jobseeker's allowance.