

1989 No. 483

SOCIAL SECURITY

The Social Security (Isle of Man) Order 1989

Made - - - - - *15th March 1989*

Coming into force *10th April 1989*

At the Court at Buckingham Palace, the 15th day of March 1989

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of sections 143 and 166(4) of the Social Security Act 1975^(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Social Security (Isle of Man) Order 1989 and shall come into force on 10th April 1989.

(2) In this Order—

“the Principal Order” means the Social Security (Isle of Man) Order 1977^(b);

“the Principal Agreement” means the Agreement set out in Schedule 1 to the Principal Order.

Modification of the Social Security Act 1975 and amendment of Principal Order

2. The Social Security Act 1975 shall be modified and the Principal Order shall be varied so as to give effect to the Principal Agreement as amended by the Agreement which is set out in the Schedule to this Order, so far as the same relate to England, Wales and Scotland.

G. I. de Deney
Clerk of the Privy Council

^(a) 1975 c.14; subsection (1) of section 143 was amended by section 20(1) of the Social Security (Miscellaneous Provisions) Act 1977 (c.5) and section 65(2) of and Schedule 11 to the Social Security Act 1986 (c.50). Subsection (1A) of section 143 was inserted by section 6(1) of the Social Security Act 1981 (c.33).

^(b) S.I. 1977/2150.

SCHEDULE

Article 2

AGREEMENT RELATING TO SOCIAL SECURITY BETWEEN THE SECRETARY OF STATE FOR SOCIAL SECURITY AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND OF THE ONE PART AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE DEPARTMENT OF HEALTH AND SOCIAL SECURITY OF THE ISLE OF MAN OF THE OTHER PART

1. In this Agreement, "the Principal Agreement" means the Agreement relating to Social Security made in 1977 between the Secretary of State for Social Services and the Department of Health and Social Services for Northern Ireland of the one part and the Lieutenant-Governor of the Isle of Man, with the advice and consent of the Isle of Man Board of Social Security, of the other part.

2. Article 2 of the Principal Agreement shall be amended as follows-

- (a) the words "Subject to paragraph (5) of this Article," shall be inserted at the beginning of paragraph (1) before the word "For" which shall itself be replaced by the word "for";
- (b) a new paragraph shall be added after paragraph (4) which shall read as follows-

"(5) There shall be excluded from this Agreement all or any of the provisions of the systems of social security established by the Acts relating to mobility allowance except that for the purposes of such of those provisions requiring the completion of periods of presence in the territory of the Act which relates to it-

- (i) in relation to a person present and ordinarily resident in the United Kingdom, periods of residence and presence completed in the Isle of Man by that person before he attains the age of 65 shall be treated as if they were periods of presence completed during the corresponding period in the United Kingdom;
- (ii) in relation to a person present and ordinarily resident in the Isle of Man, periods of residence and presence completed in the United Kingdom by that person before he attains the age of 65 shall be treated as if they were periods of presence completed during the corresponding period in the Isle of Man."

Given under the Official Seal of the Secretary of State for Social Security this 2nd day of March 1989.

John Moore
Secretary of State for Social Security

Given under the Official Seal of the Department of Health and Social Services for Northern Ireland this 6th day of March 1989.

F. A. Elliott
Permanent Secretary

Given under the hand of the Lieutenant-Governor of the Isle of Man this 3rd day of March 1989.

Laurence New
Lieutenant-Governor

The consent of the Department of Health and Social Security is hereby given to the Agreement.

J. A. Brown
Minister for Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to an Agreement made between the Secretary of State for Social Security and the Department of Health and Social Services for Northern Ireland of the one part and the Lieutenant-Governor of the Isle of Man on the other which has the effect of excluding all provisions relating to mobility allowance from the scope of an earlier reciprocal agreement relating to social security entered into by them and their predecessors except for a provision modifying the Social Security Act 1975 so as to permit periods of presence in the Isle of Man to be treated as if they were periods of presence in the United Kingdom for the purposes of entitlement to that allowance.