

2001 No. 18**SOCIAL SECURITY****The Social Security (Claims and Payments)
Amendment Regulations 2000**

<i>Made</i> - - - -	<i>8th January 2001</i>
<i>Laid before Parliament</i>	<i>10th January 2001</i>
<i>Coming into force</i> - -	<i>31st January 2001</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 5(1)(p), 189(1), (5) and (6) and 191 of the Social Security Administration Act 1992(a) and section 43(2) of the Child Support Act 1991(b), and of all other powers enabling him in that behalf, and after reference to the Social Security Advisory Committee(c), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Claims and Payments) Amendment Regulations 2001, and shall come into force on 31st January 2001.

(2) In these Regulations—

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1987(d).

[Regulation 2 amends regulation 35 of and inserts Schedule 9B into S.I. 1987/1968.]

Transitional provision

3. No deduction shall be made under paragraph 7A or 7B of Schedule 9 to the Claims and Payments Regulations in respect of maintenance to which Schedule 9B applies

Signed by authority of the Secretary of State for Social Security

8th January 2001

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security

(a) 1992 c. 5. Section 191 is cited for the meaning assigned to the word “prescribed”.

(b) 1991 c. 48. Section 43 was substituted by section 21 of the Child Support, Pensions and Social Security Act 2000 (c. 19).

(c) See section 172(1) of the Social Security Administration Act 1992.

(d) S.I. 1987/1968; relevant amending instruments are S.I. 1988/522, 1992/1026, 1993/478, 2113, 1996/481, 2344, 1999/1510, 2860.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the Secretary of State to deduct an amount in respect of certain child support maintenance liabilities from certain social security benefits or war pensions awarded to a beneficiary who is a non-resident parent (or in some cases his partner) and pay it to the person with care. The relevant provisions of the Child Support Act come into force on different dates for different types of cases. Consequently the right to make deductions under these Regulations will take effect on different dates for different types of cases.

Regulation 2 amends the Social Security (Claims and Payments) Regulations 1987 to give effect to the provisions set out in the Schedule. By virtue of regulation 3, the right to deduct under the existing provisions of the Claims and Payments Regulations will be phased out.

The Schedule to these Regulations provides for deduction from specified benefits and payment to the person with care (paragraph 2), deduction of £1 per week in respect of arrears (paragraph 3), apportionment of the amount deducted between persons with care (paragraph 4), deductions limited to £5 where partners (or parties to a polygamous marriage) are liable for flat rate maintenance (paragraphs 5 and 6) and notice requirements (paragraph 7).

These Regulations do not impose any cost on business.