

2009 No. 3229

SOCIAL SECURITY

The Social Security (Miscellaneous Amendments) (No. 6) Regulations 2009

Made - - - - - 7th December 2009
Laid before Parliament 14th December 2009
Coming into force - 6th April 2010

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 5(1)(i), (k) and (l), 189(1) and (4) to (6) and 191 of the Social Security Administration Act 1992(a), section 175(1) and (4) of the Social Security Contributions and Benefits Act 1992(b) and section 17(1) of, and paragraph 13(1) of Schedule 1 to, the State Pension Credit Act 2002(c).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992, the Secretary of State has obtained the agreement of the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it.

Citation and commencement

1. These Regulations may be cited as the Social Security (Miscellaneous Amendments) (No. 6) Regulations 2009 and shall come into force on 6th April 2010.

[Regulation 2 makes various amendments to S.I. 1987/1968.]

[Regulation 3 amends regulations 1, 13 & 13B of S.I. 2002/1792.]

Signed by authority of the Secretary of State for Work and Pensions.

7th December 2009

Angela Eagle
Minister of State
Department for Work and Pensions

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- (a) 1992 c. 5. Section 189(1) was amended by the Social Security Act 1998 (c. 14), Schedule 7, paragraph 109(a) and Schedule 8, by the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 3, paragraph 57(1) and (2) and by the Tax Credits Act 2002 (c. 21), Schedule 6. Section 189(4) to (6) were amended by the Social Security Act 1998, Schedule 7, paragraph 109(c) to (e) and Schedule 8. Section 191 is cited for the definition of “prescribe” and was amended by the Welfare Reform Act 2007 (c. 5), Schedule 5, paragraph 10.
- (b) 1992 c. 4. Section 175(1) and (4) are applied to provisions of the State Pension Credit Act 2002 (c. 16) by section 19(1) of that Act. Section 175(1) and (4) were amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).
- (c) 2002 c. 16. Section 17(1) is cited for the definitions of “prescribed” and “regulations”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Claims and Payments) Regulations 1987 (“the Claims and Payments Regulations”) and the State Pension Credit Regulations 2002 (“the State Pension Credit Regulations”).

Regulation 2(5) inserts regulations 22C and 22D into the Claims and Payments Regulations. The effect of these amendments is to enable retirement pension to be paid weekly, fortnightly, 4 weekly, 13 weekly or annually in arrears and to enable a person’s payday to be determined in accordance with their national insurance number. The effect of regulation 22D is to enable retirement pension to be paid at a daily rate for part-weeks where specified conditions are satisfied.

Regulation 2(7) inserts regulation 26BA into the Claims and Payments Regulations to enable state pension credit to be paid weekly, fortnightly, 4 weekly or 13 weekly in arrears and to enable a person’s payday to be determined in accordance with their national insurance number.

Regulation 2(2) inserts a definition of “working age benefit” (a term used in the new regulation 22D) into the Claims and Payments Regulations. The remainder of regulation 2 adjusts other provisions of the Claims and Payments Regulations as a consequence of these changes. Regulation 3(2) and (4) make consequential changes to the State Pension Credit Regulations.

Regulation 3(3) amends regulation 13A of the State Pension Credit Regulations to enable income to be taken into account for the purposes of determining the amount of the guarantee credit payable for part-week payment of state pension credit. It also removes the words in regulation 13A(3) of those Regulations which enable any fraction of a penny to be rounded up to the nearest penny. Calculations relating to fractions of a penny in respect of state pension credit will be determined in accordance with regulation 28 of the Claims and Payments Regulations.

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.