

2000 No. 526**SOCIAL SECURITY****The Social Security Benefits Up-rating
Regulations 2000***Made - - - - - 29th February 2000**Laid before Parliament 8th March 2000**Coming into force - - 10th April 2000*

The Secretary of State for Social Security, in exercise of the powers conferred by sections 113(1), 171D, 171G(2), 175(1) to (4) of, and paragraph 2(3) of Schedule 7 to, the Social Security Contributions and Benefits Act 1992(a), and sections 155(3), 189(1), (3) and (4) and 191 of the Social Security Administration Act 1992(b), and of all other powers enabling him in that behalf, by this instrument, which contains only provisions in consequence of an order under section 150 of the Social Security Administration Act 1992, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefits Up-rating Regulations 2000 and shall come into force on 10th April 2000.

(2) In these Regulations—

“the Administration Act” means the Social Security Administration Act 1992; and

“the Up-rating Order” means the Social Security Benefits Up-rating Order 2000(c).

Exceptions relating to payment of additional benefit under awards made before the commencing date

2. Section 155(3) of the Administration Act (effect of alteration of rates of benefit under Parts II to V of the Contributions and Benefits Act) shall not apply if a question arises as to either—

(a) the weekly rate at which the benefit is payable by virtue of the Up-rating Order, or

(b) whether the conditions for receipt of the benefit at the altered rate are satisfied,

until that question has been determined in accordance with the provisions of the Administration Act.

Persons not ordinarily resident in Great Britain

3. Regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975(d) (application of disqualification in respect of up-rating of benefit) shall apply to any additional benefit payable by virtue of the Up-rating Order.

(a) 1992 c. 4. Section 171D was inserted by section 6(1) of the Social Security (Incapacity for Work) Act 1994 (c. 18). Section 171G(2) is cited for the meaning assigned to the word “prescribed”.

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

(c) S.I. 2000/440.

(d) 1975/563; relevant amending instruments are S.I. 1977/342, 1979/1432, 1988/435, 1989/1642, 1990/621, 1992/1700 and 1994/1832.

[Regulation 4 amends regulation 16 of S.I. 1982/1408.]

[Regulation 5 amends regulation 17(2)(a) of S.I. 1995/311.]

[Regulation 6 revokes regulations 2 and 3 of S.I. 1999/858 and the whole of S.I. 1999/862.]

Signed by authority of the Secretary of State for Social Security.

29th February 2000

Jeff Rooker
Minister of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument contains only provisions in consequence of an Order under section 150 of the Social Security Administration Act 1992 (up-rating of benefits). Accordingly, by virtue of paragraph 3 of Schedule 7 to that Act, the Secretary of State has not referred these Regulations to the Social Security Advisory Committee.

Regulation 2 provides that where a question has arisen about the effect of the Social Security Benefits Up-rating Order 2000 (S.I. 2000/440) (“the Up-rating Order”) on a benefit already in payment, the altered rates will not apply until that question is determined by the Secretary of State, an appeal tribunal or a commissioner.

Regulation 3 applies the provisions of regulation 5 of the Social Security Benefit (Persons Abroad) Regulations 1975 so as to restrict the application of the increase specified in the Up-rating Order in cases where the beneficiary lives abroad.

Regulation 4 raises from £3,016 to £3,042 per year the earnings limit which applies to unemployment supplement.

Regulation 5 raises from £58.00 to £58.50 per week the earnings limit which applies to incapacity for work.

Regulation 6 contains revocations consequential upon the coming into force of these Regulations.

These Regulations do not impose any costs on business.