

**2001 No. 573**

**SOCIAL SECURITY**

**The Social Security (Credits and Incapacity Benefit)  
Amendment Regulations 2001**

<i>Made - - - - -</i>	<i>26th February 2001</i>
<i>Laid before Parliament</i>	<i>5th March 2001</i>
<i>Coming into force -</i>	
<i>except for the purposes of regulation 3</i>	<i>26th March 2001</i>
<i>for the purposes of regulation 3</i>	<i>6th April 2001</i>

The Secretary of State for Social Security, in exercise of powers conferred by sections 22(5), 122(1) and 175(1) to (3) of, and paragraph 2(8) of Schedule 3 to, the Social Security Contributions and Benefits Act 1992(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(b), hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Social Security (Credits and Incapacity Benefit) Amendment Regulations 2001 and shall come into force—

- (a) except for the purposes of regulation 3, on 26th March 2001;
- (b) for the purposes of regulation 3, on 6th April 2001 immediately after the coming into force of regulation 2(2) of the Social Security (Incapacity Benefit) Miscellaneous Amendments Regulations 2000(c).

[Regulation 2 inserts regulation 9D into S.I. 1975/556.]

[Regulation 3 inserts sub-paragraph (ba) into regulation 2B(2) of S.I. 1994/2946.]

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

26th February 2001

*Jeff Rooker*  
Minister of State,  
Department of Social Security

---

(a) 1992 c. 4. S 22(5) was amended by para 22 of Sch 2 to the Jobseekers Act 1995 (c. 18). S 122(1) is cited because of the meaning ascribed to the word “prescribe”. S 175 was amended by para 29 of Sch 3 to the S S Contributions (Transfer of functions, etc.) Act 1999 (c. 2). Para 2(8) was added by sec 62(4) of the Welfare Reform and Pensions Act 1999 (c. 30).

(b) See s 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(c) S.I. 2000/3120.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations further amend the Social Security (Credits) Regulations 1975 (“the Credits Regulations”) and the Social Security (Incapacity Benefit) Regulations 1994 (“the Incapacity Benefit Regulations”).

Regulation 2 amends the Credits Regulations by inserting new regulation 9D of those Regulations to provide that, for the purposes of entitlement to any contributory benefit, certain prisoners who have had their conviction of a single offence or convictions or two or more offences quashed shall, upon application in writing to the Secretary of State, be entitled to be credited with such earnings or, as the case may be, contributions to make any year in which there is a week (or part of a week) during which such a prisoner was detained in legal custody, a reckonable year for the purposes of entitlement to any benefit. The new regulation also provides for any such application to be made by electronic means.

Regulation 3 amends the Incapacity Benefit Regulations by inserting a new subparagraph (ba) into paragraph (2) of regulation 2B of those Regulations to extend the relaxation of the first contribution condition for incapacity benefit to those prisoners to whom regulation 2 of these Regulations applies.

These Regulations do not impose any costs on business.