

1992 No. 3041

SOCIAL SECURITY

**The Social Security (Dependency)
Amendment Regulations 1992**

<i>Made</i> - - - -	<i>4th December 1992</i>
<i>Laid before Parliament</i>	<i>4th December 1992</i>
<i>Coming into force</i>	<i>5th December 1992</i>

The Secretary of State for Social Security, in exercise of the powers conferred on him by sections 83(3), 84(3), 85(4), 86(2) and 175(1), (3) and (4) of, and paragraphs 6(3), (4) and (5) of Schedule 7 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 the proposals to make these Regulations should not be referred to it (b), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security Benefit (Dependency) Amendment Regulations 1992 and shall come into force on 5th December 1992.

(2) In these Regulations “the principal Regulations” means the Social Security Benefit (Dependency) Regulations 1977(c).

[Regulation 2 amends regulation 1(2) of S.I. 1977/343.]

[Regulation 3 substitutes regulation 8 of S.I. 1977/343.]

Transitional provision

4.—(1) Where on 4th December 1992, a beneficiary was entitled to an increase of benefit for that day and by virtue of paragraph (6) of regulation 8 of the principal Regulations as then in force the provisions of the Act relating to the reduction of the rate of such increase applied to him, that paragraph shall continue to apply to him as though these Regulations had not been made until such time as the beneficiary first ceases to be entitled to that increase.

(2) In paragraph (1) the expressions used have the same meanings as in the principal Regulations.

4th December 1992

Peter Lilley
Secretary of State for Social Security

(a) 1992 c.4.

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

(c) S.I. 1977/343. The relevant amending instruments are S.I. 1985/1190 and S.I. 1989/523.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security Benefit (Dependency) Regulations 1977 (“the Dependency Regulations”) by substituting a new regulation 8 for the existing regulation. This regulation makes provision for the reduction of increases of benefit paid in respect of an adult dependant where the dependant is in receipt of earnings of an amount specified in the Regulations. “Earnings” are defined in section 89 of the Social Security Contributions and Benefits Act 1992 as including payments by way of occupational or personal pension. The Regulations also contain a transitional provision which continues the protection provided in regulation 8(6) of the Dependency Regulations as previously in force for people who were entitled to an increase of benefit before 15th September 1985.